

WEDNESDAY, FEBRUARY 12, 2003

SIXTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 3:00 p.m., and was called to order by Mr. Speaker Wilder.

PRAYER

The proceedings were opened with prayer by the Reverend David Spencer of Centerville United Methodist Church in Centerville, Tennessee, a guest of Senator Jackson.

PLEDGE OF ALLEGIANCE

Senator Ramsey led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--33.

STANDING COMMITTEE REPORT

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 3 and 55.

PERSON, Chairperson
February 11, 2003

The Speaker announced that he had referred Senate Bills Nos. 3 and 55 to Committee on Calendar.

INTRODUCTION OF BILLS

The Speaker announced that the following bills were filed for introduction and passed first consideration:

Senate Bill No. 338 by Senator Herron.

Sewage -- Allows on-site sewage treatment system to be used for certain single-home sewage disposal; provides requirements for permit applications for aerobic sewage treatment plant and penalties for submission of false information on permit applications. Amends TCA Title 68, Chapter 221.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 339 by Senator Herron.

Firearms and Ammunition -- Allows vested correctional clerical officer as well as correctional officer and law enforcement officer to carry firearm at all times and in all places. Amends TCA Section 39-17-1350.

Senate Bill No. 340 by Senator Herron.

Public Records -- Authorizes clerks to remove veteran's official military discharge information from public records. Amends TCA Title 10, Chapter 7, Part 5.

Senate Bill No. 341 by Senator Herron.

Podiatrists -- Authorizes podiatrist to order home health services if podiatrist has previously provided treatment to patient and has had ongoing physician-patient relationship with such person. Amends TCA Section 68-11-201.

Senate Bill No. 342 by Senator Herron.

Transportation, Dept. of -- Urges commissioner to report on status of wildflower program. Amends TCA Title 4, Chapter 15, Part 1 and Title 54.

Senate Bill No. 343 by Senator Jackson.

Criminal Procedure -- Provides that statements of criminal defendant given at custodial interrogation are inadmissible in evidence against defendant unless electronic video or audio recording is made of interrogation. Amends TCA Title 40.

Senate Bill No. 344 by Senator Trail.

Hospitals and Health Care Facilities -- Establishes reasonable costs of furnishing medical records to patient who is not indigent for purpose of supporting claim or appeal under Social Security Act at not more than \$20.00 for records 40 pages or less in length and \$0.25 per page for each page after 40 and actual cost of mailing. Amends TCA Title 63, Chapter 2, Part 1 and Title 68, Chapter 11, Part 3.

Senate Bill No. 345 by Senator Trail.

DUI/DWI Offenses -- Increases fine for driving under influence of drugs, intoxicants or drug producing stimulant while accompanied by child under age 13 from \$1,000 to \$1,500. Amends TCA Title 55, Chapter 10, Part 4.

Senate Bill No. 346 by Senator Trail.

Courts, Administrative Office of the -- Requires administrative office of courts in conjunction with district attorneys to prepare report to General Assembly at least every eight years on how many judges, chancellors, assistant district attorneys, and criminal investigator positions are authorized and filled in each judicial district. Amends TCA Title 8; Title 16; Title 17; Title 18 and Title 37.

Senate Bill No. 347 by Senators Ford, Dixon, Crowe and Harper.

Physicians and Surgeons -- Extends period for passing United States Medical Licensing Examination to seven years from passing step 1 examination. Amends TCA Title 63, Chapter 6.

Senate Bill No. 348 by Senator Graves.

Zoning -- Allows continuation of certain uses of structures, and on and off site signs not in conformance with local government zoning. Amends TCA Section 13-7-208.

Senate Bill No. 349 by Senator Haynes.

Highway Signs -- "Children's Hospital, Vanderbilt University Medical Center", various locations in Davidson County.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 350 by Senator Haynes.

Taxes -- Increases weight of receipts factor in calculating apportionment of net worth for Tennessee franchise tax purposes. Amends TCA Title 67.

Senate Bill No. 351 by Senator Haynes.

Attorney General and Reporter -- Authorizes attorney general and reporter to conduct investigation into specific proceeding of criminal justice system upon receipt of credible evidence of impropriety or irregularity in proceeding or that it is being conducted in contravention of laws or constitution. Amends TCA Title 8; Title 38; Title 39; Title 40 and Title 41.

Senate Bill No. 352 by Senator Haynes.

Garnishments and Executions -- Provides sheriff does not receive commissions for service of process. Amends TCA Title 26, Chapter 2.

Senate Bill No. 353 by Senator Haynes.

Notary Public -- Provides that notaries must use rubber stamp rather than impression seal; grandfathers impression seals until terms of office of individual notaries expire. Amends TCA Title 8.

Senate Bill No. 354 by Senator Haynes.

Criminal Procedure -- Authorizes judge to order that criminal sentences run consecutively if defendant is being sentenced for offense committed while on community corrections. Amends TCA Section 40-35-115.

Senate Bill No. 355 by Senator Haynes.

Taxes, Privilege -- Exempts full-time federal employees from occupational privilege tax. Amends Title 67, Chapter 4, Part 17.

Senate Bill No. 356 by Senator Haynes.

Arbitration -- Clarifies that certain appeals under Uniform Arbitration Act are appeals as of right. Amends TCA Section 29-5-319.

Senate Bill No. 357 by Senator Ford.

Railroads -- Requires railroad companies to maintain railroad right-of-way properties at companies' expense within municipal boundaries. Amends TCA Title 65, Chapter 11, Part 1.

Senate Bill No. 358 by Senator Ford.

Human Rights -- Establishes in statute Tennessee Title VI compliance commission, previously created by executive order no. 34 issued by Governor Sundquist on August 9, 2002. Amends TCA Title 4, Chapter 21.

Senate Bill No. 359 by Senator Crowe.

Hospitals and Health Care Facilities -- Requires statewide planning and policy council of Department of Mental Health and Developmental Disabilities to study issues relating to methadone treatment facilities; health services and development agency is to appropriately consider its report in evaluating applications to it. Amends TCA Title 33 and Title 68, Chapter 11.

Senate Bill No. 360 by Senator Williams.

DUI/DWI Offenses -- Increases mandatory minimum time of imprisonment for first offense DUI from 48 to 72 hours; for second offense from 45 to 120 days; for third offense from 120 days to 11 months, 29 days; and for fourth or subsequent offense from 150 days to 300 days. Amends TCA Title 55, Chapter 10, Part 4.

Senate Bill No. 361 by Senator McNally.

Local Government, General -- Authorizes Anderson County emergency planning committees to collect from member industries required to submit tier II hazardous materials reports \$100 fee to be used for conducting annual event exercises, public education, and printing response plan. Amends TCA Title 58, Chapter 2, Part 1.

Senate Bill No. 362 by Senator McNally.

Motor Vehicles, Titling and Registration -- Requires person applying for registration or renewal of registration of motor vehicle to possess valid driver license to obtain registration plates. Amends TCA Title 55, Chapter 4, Part 1.

Senate Bill No. 363 by Senator McNally.

Taxes, Privilege -- Exempts medical professionals who practice only as volunteers for nonprofit organizations or who practice only on their immediate families from payment of occupation privilege tax. Amends TCA Title 67, Chapter 4, Part 17.

Senate Bill No. 364 by Senator McNally.

Medical Occupations -- Requires board of occupational and physical therapy examiners to report fund balances annually to government operations committees of House and Senate. Amends TCA Title 63, Chapter 13.

Senate Bill No. 365 by Senator Miller.

Municipal Government -- Requires municipalities or counties that regulate radio antenna placement, screening or height to reasonably accommodate amateur radio antennas; establishes minimum height restrictions; permits appeal process for higher antennas; sets out factors to be considered in granting applications. Amends TCA Title 5, Chapter 7; Title 6, Chapter 54 and Title 13.

Senate Bill No. 366 by Senator Crutchfield.

Civil Procedure -- Enacts "Sunshine in Litigation Act".

Senate Bill No. 367 by Senator Crutchfield.

Tort Liability -- Extends period governmental entities are required to file report on tort liability activities with state treasurer from three to five years. Amends TCA Title 28; Title 29 and Title 56.

Senate Bill No. 368 by Senator Crutchfield.

Civil Procedure -- Increases from \$5.00 to \$10.00 amount of nominal damages plaintiff must recover in certain civil actions to be entitled to recover full costs; applicable civil actions are actions founded upon assault, battery, malicious prosecution, false imprisonment, or recovery of damages for overflowing of water by building of gristmill or other waterworks.

Senate Bill No. 369 by Senator Crutchfield.

Tort Liability -- Clarifies that immunity for LEA employees relating to management of asbestos applies to buildings or other structures leased by as well as owned or controlled by LEA. Amends TCA Title 29, Chapter 20 and Title 62.

Senate Bill No. 370 by Senator Crutchfield.

Workers' Compensation -- Requires Advisory Council on Workers' Compensation to comment on revisions to standards governing settlement of workers' compensation claims within 45 days, instead of 60 days, beginning July 1, 2003. Amends TCA Title 50, Chapter 6.

Senate Bill No. 371 by Senator Crutchfield.

Abuse -- Establishes as defense to any charge of civil or criminal contempt arising from contact prohibited by protection order or consent agreement in domestic abuse case fact that petitioner initiated or consented to contact. Amends TCA Section 36-3-610.

Senate Bill No. 372 by Senator Crutchfield.

Taxes, Exemption -- Exempts audiologists and speech pathologists from payment of professional privilege tax. Amends TCA Title 67, Chapter 4, Part 17.

Senate Bill No. 373 by Senator Fowler.

Hospitals and Health Care Facilities -- Requires all health care facilities regulated by Department of Health to comply with 2000 edition of Life Safety Code published by National Fire Protection Association (NFPA). Amends TCA Titles 1 through 71.

Senate Bill No. 374 by Senators Cohen, Person, Ketron, Ford, Williams and Burks.

Law Enforcement -- Enacts "General Patton Act of 2002". Amends TCA Title 4, Chapter 7, Part 1; Title 38, Chapter 8, Part 1; Title 39, Chapter 14, Part 2 and Title 44, Chapter 17, Part 4.

Senate Bill No. 375 by Senator Cohen.

Alcoholic Beverages -- Redefines "premier type tourist resort" for authorization of sale and consumption of alcoholic beverages. Amends TCA Section 57-4-102(24).

Senate Bill No. 376 by Senators McNally, Burks and Person.

Education -- Places teachers' salaries under BEP formula. Amends TCA Title 49.

Senate Bill No. 377 by Senators McNally, Burks and Person.

Criminal Offenses -- Punishes violation of §39-17-417 involving methamphetamine one classification higher if certain conditions are met. Amends TCA Title 39, Chapter 17, Part 4.

Senate Bill No. 378 by Senators McNally, Burks and Person.

Criminal Offenses -- Creates Class E felony offense of possession of substance with intent to use it to manufacture controlled substance or convey it to another for such use; sets out criteria for determining intent. Amends TCA Title 39, Chapter 17, Part 4.

Senate Bill No. 379 by Senators McNally, Burks and Person.

Criminal Offenses -- Creates Class D felony offense of possessing ephedrine or pseudoephedrine with intent to manufacture amphetamine or methamphetamine. Amends TCA Title 39, Chapter 17.

Senate Bill No. 380 by Senators McNally, Burks and Person.

Criminal Offenses -- Creates Class D felony offense of criminal exposure to drug trafficking which is manufacture, delivery, or sale of Schedule I or II controlled substance while accompanied by child under 13. Amends TCA Title 39, Chapter 17, Part 4.

Senate Bill No. 381 by Senators McNally, Burks and Person.

Evidence -- Makes possession of more than five grams of ephedrine or more than nine grams of pseudoephedrine in combination with two or more objects of drug paraphernalia prima facie evidence person was manufacturing amphetamine or methamphetamine. Amends TCA Title 39, Chapter 17, Part 4.

Senate Bill No. 382 by Senators McNally, Burks and Person.

Criminal Offenses -- Creates Class D felony offense of using two or more objects that constitute drug paraphernalia in combination to make amphetamine or methamphetamine and Class C felony if offense occurs on property open for public lodging. Amends TCA Title 39, Chapter 17, Part 4.

Senate Bill No. 383 by Senator Dixon.

Business and Commerce -- Clarifies that no provision of Electronic Transaction Act limits, modifies or supercedes federal E-Sign Act unless otherwise permitted. Amends TCA Title 47, Chapter 10.

Senate Bill No. 384 by Senator Dixon.

Special License Plates -- Authorizes issuance of Prince Hall Masons new specialty earmarked license plates; allocates 50 percent of funds derived from sale thereof to Orange Mound Lodge #357 to benefit Orange Mound Charities. Amends TCA Title 55, Chapter 4.

Senate Bill No. 385 by Senator Dixon.

Criminal Procedure -- Creates special committee to study death penalty; encourages state to issue moratorium on carrying out death penalty.

Senate Bill No. 386 by Senator Dixon.

Criminal Procedure -- Clarifies procedure for restoration of citizenship rights after being convicted of infamous crime; administrative office of courts to develop form for restoration of citizenship rights; presumption that restoration of rights should be granted; district attorney or U.S. attorney must object and have hearing or else restoration of rights will be granted. Amends TCA Title 40, Chapter 29, Part 1.

Senate Bill No. 387 by Senator Fowler.

Criminal Procedure -- Allows any court of record that has found defendant to be indigent to hold hearing in open court to determine that investigative or expert services are necessary to ensure constitutional rights of defendant are protected. Amends TCA Title 40.

Senate Bill No. 388 by Senator Trail.

Pharmacy, Pharmacists -- Requires pharmacy benefit managers to be licensed by state board of pharmacy. Amends TCA Title 56; Title 63 and Title 71.

Senate Bill No. 389 by Senator Trail.

Pharmacy, Pharmacists -- Requires pharmacy benefit managers to notify pharmacies enrolled in such manager's health plan of cancellation of coverage of benefits for enrollees. Amends TCA Title 56; Title 63 and Title 71.

Senate Bill No. 390 by Senator Kurita.

Hospitals and Health Care Facilities -- Redefines "assisted-care living facility resident" to remove demonstration of self-care of routine administration of oxygen for at least one year for continued stay of assisted-care living facility resident. Amends TCA Section 68-11-201.

Senate Bill No. 391 by Senator Miller.

Forest and Forest Products -- Authorizes division of forestry to implement and administer programs and policies to heighten public's awareness about importance of forestry to Tennessee's economy and quality of life. Amends TCA Title 11, Chapter 4 and Title 69.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 392 by Senator Ketron.

Election Laws -- Establishes procedure for automatic recounts in certain elections where margin of victory is within one tenth of one percent. Amends TCA Title 2.

Senate Bill No. 393 by Senator Ketron.

Highway Signs -- "Tom J. Shaw Bridge", S.R. 7 in Maury County.

Senate Bill No. 394 by Senator Fowler.

Taxes, Privilege -- Exempts full-time municipal and county employees from occupation privilege tax. Amends TCA Section 67-4-1708.

Senate Bill No. 395 by Senator Fowler.

Guardianship -- Removes social security number from information required to file petition to appoint conservator.

Senate Bill No. 396 by Senator Norris.

Local Education Agency -- Authorizes LEA to bring action for restitution against parent, guardian or other legal custodian who enrolls out-of-district student in school system and fraudulently misrepresents address for domicile of student. Amends TCA Title 49, Chapter 6, Part 30.

Senate Bill No. 397 by Senators Crutchfield and Dixon.

Bail, Bail Bonds -- Revises various provisions concerning forfeiture, reduction or refund of premium of bail, duration of bond and bondsman's capacity. Amends TCA Title 40, Chapter 11.

Senate Bill No. 398 by Senators Graves, Burks and Crowe.

Bail, Bail Bonds -- Establishes criteria for eligibility for release under government supported or sponsored pre-trial release program; opens for public inspection all records pertaining to such release of adult offenders. Amends TCA Section 40-11-116.

Senate Bill No. 399 by Senator Graves.

Courts, Juvenile -- Gives juvenile court concurrent jurisdiction with circuit and chancery court for proceedings to determine custody of children born out of wedlock, to provide for support and education of such children, and to enforce its orders. Amends TCA Section 37-1-104.

Senate Bill No. 400 by Senator Graves.

Courts, Juvenile -- Makes Tennessee Rules of Appellate Procedure applicable to all appeals from juvenile court. Amends TCA Section 37-1-159.

Senate Bill No. 401 by Senator Graves.

Taxes, Privilege -- Exempts from professional privilege tax persons employed by county or local government who are prohibited from engaging in private practice of their profession by virtue of such employment. Amends TCA Section 67-4-1708.

Senate Bill No. 402 by Senator Graves.

TennCare -- Adds additional condition concerning prompt payment of provider's claim by TennCare health maintenance organizations which may be submitted to independent reviewer. Amends TCA Title 56, Chapter 32.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 403 by Senator McLeary.

Teachers, Principals and School Personnel -- Allows full-time teachers to attend one course per term at any state-supported institution of higher education or any voc-tech school without charge. Amends TCA Section 49-5-204.

Senate Bill No. 404 by Senator Herron.

Pensions and Retirement Benefits -- Increases state paid portion of insurance premiums for active and retired teachers. Amends TCA Title 8, Chapter 27.

Senate Bill No. 405 by Senator Fowler.

Inheritance Laws -- Provides that regardless of when personal representative is appointed, surviving spouse must file petition to take elective share under will within two years of date of decedent's death unless other provisions of law permit extension. Amends TCA Title 31, Chapter 4, Part 1.

Senate Bill No. 406 by Senator Fowler.

Evidence -- Permits subpoenaed telephone records to be transmitted to law enforcement officials by telephone or facsimile. Amends TCA Section 24-7-116.

Senate Bill No. 407 by Senator Fowler.

Local Government, General -- Changes publication of proposed county annual operating budget following presentation to governing body from one day to five days, if publication is in daily newspaper, or to next edition for which notices are accepted, if publication is in newspaper published less frequently than daily. Amends TCA Section 5-8-507.

Senate Bill No. 408 by Senator Cooper.

Pensions and Retirement Benefits -- Increases supplemental "bridge" benefits for certain persons subject to mandatory retirement based on age. Amends TCA Section 8-36-205 and Section 8-36-211.

Senate Bill No. 409 by Senator Cooper.

Municipal Government -- Requires joint ventures between municipality operating electric plant and other entity to provide cable, Internet, and related services to be approved by referendum; revises certain requirements of business plan municipal electric system files with office of comptroller of treasury. Amends TCA Title 7, Chapter 52, Part 1 and Title 7, Chapter 52, Part 6.

Senate Bill No. 410 by Senator Kyle.

Correctional Programs -- Transfers powers, duties and responsibilities regarding community corrections from board of probation and parole to Department of Correction. Amends TCA Title 40, Chapter 36.

Senate Bill No. 411 by Senator Cooper.

Insurance Companies, Agents, Brokers, Policies -- Permits insurers to give preferences or distinctions in insurance coverage, rates, premiums, benefits or conditions based on membership in professional association with more than 5,000 dues paying members residing or practicing in at least 80 counties. Amends TCA Section 56-8-116.

Senate Bill No. 412 by Senator Ford.

Mental Health and Developmental Disabilities, Dept. of -- Requires department to establish continuum of essential behavioral health services. Amends TCA Title 33.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 413 by Senator Ford.

Public Contracts -- Enacts "State Neutrality in Labor Organizing Act".

Senate Bill No. 414 by Senator Ford.

Election Laws -- Enacts "Tennessee Voting Reform Act". Amends TCA Title 2.

Senate Bill No. 415 by Senator Ford.

Alcoholic Beverages -- Increases from 20 to 25 days time period in which manufacturers and wholesale distributors of beer must register with commissioner. Amends TCA Title 57.

Senate Bill No. 416 by Senator Ford.

Juvenile Offenders -- Deletes "within five-day" notice alternative resulting in requirement that if court orders school attendance and notification by officer or state agency then principal must be notified before delinquent child resumes school. Amends TCA Title 37.

Senate Bill No. 417 by Senator Ford.

Cemeteries -- Permits Commissioner of Commerce and Insurance to terminate temporary permit for operating cemetery by giving written notice of at least 20 days, instead of 10 days, before effective date of termination. Amends TCA Title 46.

Senate Bill No. 418 by Senator Ford.

Divorce, Annulment and Alimony -- Adds \$10.00 fee to other costs and fees for filing petition for divorce, which fee shall be paid to state treasurer and credited to Department of Children's Services account for use in child abuse prevention. Amends TCA Title 36; Title 37 and Title 71.

Senate Bill No. 419 by Senator Ford.

Day Care -- Extends from 120 to 140 days length of temporary license for family members, administrators or executors of deceased child care agency licensee to continue operation of agency. Amends TCA Title 71.

Senate Bill No. 420 by Senator Ford.

Mental Health and Developmental Disabilities, Dept. of -- Decreases time period within which notice to next of kin of deceased patient or resident must be mailed from within 10 days to within five days of patient's or resident's death. Amends TCA Title 33.

Senate Bill No. 421 by Senator Cooper.

Municipal Government -- Permits persons residing outside municipality but owning at least 50 percent fee simple interest in property in municipality with not less than 1,303 nor more than 1,310 population in county with not less than 51,900 nor more than 52,000, by two-thirds vote of legislative body to vote in municipal elections; applies only to Midtown, Roane County. Amends TCA Title 6.

Senate Bill No. 422 by Senators Cooper and Ramsey.

Wildlife Resources Commission -- Authorizes commission to promulgate rules and regulations to adjust fees for licenses and permits and to establish new licenses and permits together with necessary fees; requires fee amounts to be tied to consumer price index; requires all fees to be deposited to wildlife resources fund solely for use of agency; requires commission to report fee increases to legislature and legislature must approve rules and regulation. Amends TCA Title 70.

Senate Bill No. 423 by Senators Cooper and Ramsey.

Game and Fish Laws -- Increases fee for one day fishing license from \$2.00 to \$4.00. Amends TCA Section 70-2-104; Section 70-2-201; Section 70-2-202; Section 70-2-205; Section 70-2-206; Section

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

70-2-208; Section 70-2-212; Section 70-2-213; Section 70-2-214; Section 70-2-215; Section 70-2-219; Section 70-2-220; Section 70-2-221 and Section 70-4-404.

Senate Bill No. 424 by Senator Cooper.

Forest and Forest Products -- Adds definition of "certified" to state forest statute, as one that meets standards for forest sustainability under Forest Stewardship Council, Sustainable Forestry Initiative or other nationally recognized program that promotes forest sustainability. Amends TCA Title 11, Chapter 4.

Senate Bill No. 425 by Senator Cooper.

Pest Control -- Changes designation of member on pest control board from director of division of plant industries to administrator for pesticide management programs. Amends TCA Title 62, Chapter 21.

Senate Bill No. 426 by Senator Cooper.

Agriculture -- Revises definition of "farm product" under right to farm statute to refer to forest products instead of trees. Amends TCA Title 43.

Senate Bill No. 427 by Senator Cooper.

Courts, General Sessions -- Provides that if county moves into higher population classification based upon subsequent census, salary of general sessions judge of county shall be determined by salary of higher classification for remainder of term but shall be no less than present salary. Amends TCA Section 16-15-5001(d)(2).

Senate Bill No. 428 by Senator Cooper.

Hazardous Materials -- Requires county legislative body approval for certain land uses involving hazardous materials even if county does not have zoning regulations. Amends TCA Title 13, Chapter 3; Title 13, Chapter 4; Title 13, Chapter 7 and Title 68.

Senate Bill No. 429 by Senator Cooper.

Bond Issues -- Provides for issue of state bonds in amount of \$260,000,000 for education capital projects. Amends TCA Titles 49, 57, and 67.

Senate Bill No. 430 by Senator Haynes.

Law Enforcement -- Permits police officer working private security to wear uniform of officer's primary jurisdiction, if jurisdiction has authorized and assumed responsibility for wearing such uniform.

Senate Bill No. 431 by Senator Haynes.

Law Enforcement -- Applies statewide uniform requirements for police officers working off-duty security. Amends TCA Section 62-35-141.

Senate Bill No. 432 by Senator Haynes.

Taxes -- Increases weight of receipts factor in calculating apportionment of net earnings for Tennessee excise tax purposes. Amends TCA Title 67.

Senate Bill No. 433 by Senator Haynes.

Campaigns and Campaign Finance -- Increases multicandidate political campaign committee aggregate contribution limit for any local office and any state office not elected by statewide election; amount of increase to reflect percentage of change in average consumer price index every year

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

since amount was last increased and every even-numbered year starting in 2002; requires registry of election finance to publish increased amount on its Web site. Amends TCA Title 2, Chapter 10.

Senate Bill No. 434 by Senator McLeary.

Pensions and Retirement Benefits -- Allows retired teachers to accept full-time employment as elected city officials without loss or suspension of retirement benefits; such retired teacher may not receive additional benefits for employment as city official. Amends TCA Title 8, Chapter 36, Part 8.

Senate Bill No. 435 by Senators Southerland and Ramsey.

Real Estate Agents and Brokers -- Requires that brokers, affiliate brokers, and timeshare salespersons file proof of timely compliance with all educational requirements and errors and omissions insurance requirements prior to license renewal or reinstatement. Amends TCA Title 62, Chapter 13, Part 3.

Senate Bill No. 436 by Senator Cohen.

Special License Plates -- Authorizes issuance of Tennessee Wildflower new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to highway fund for highway beautification purposes. Amends TCA Title 55, Chapter 4.

Senate Bill No. 437 by Senator Cohen.

Education -- Requires that all funds appropriated from lottery proceeds be used to supplement, not supplant, non-lottery resources for educational purposes and programs. Amends TCA Title 3; Title 4; Title 33; Title 38; Title 39; Title 48; Title 49 and Title 68.

Senate Bill No. 438 by Senator Cohen.

Economic and Community Development -- Enacts "Inner-City Redevelopment Act of 2003". Amends TCA Title 7, Chapter 84.

Senate Bill No. 439 by Senator Cohen.

Animals and Animal Cruelty -- Expands predicate offenses that elevate second or subsequent conviction for offense of aggravated cruelty to animals from Class A misdemeanor to Class E felony to include prior conviction for cruelty to animals as well as aggravated cruelty to animals. Amends TCA Title 39, Chapter 14, Part 2 and Title 44, Chapter 17.

Senate Bill No. 440 by Senator Cohen.

Transportation, Dept. of -- Requires department to develop guidelines for municipal tourism/wayfinding informational signage programs; requires commissioner to report progress to transportation committees in January 2004. Amends TCA Title 4, Chapter 3, Part 23 and Title 54.

Senate Bill No. 441 by Senator Cohen.

Capital Punishment -- Enacts "Capital Punishment Equal Protection Act of 2003". Amends TCA Title 39, Chapter 13.

Senate Bill No. 442 by Mr. Speaker Wilder.

Utilities, Utility Districts -- Requires all utility operators to belong to one-call service beginning January 1, 2004. Amends TCA Title 65, Chapter 31, Part 1.

Senate Bill No. 443 by Mr. Speaker Wilder.

Highways, Roads and Bridges -- Requires construction contracts to be divided into at least three separate contracts. Amends TCA Title 12 and Title 54.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 444 by Mr. Speaker Wilder.

Taxes, Real Property -- Increases from \$140,000 to \$175,000 full market value amount for which certain disabled veterans may receive reimbursement for all or part of local property taxes paid on such veteran's residence. Amends TCA Title 67, Chapter 5, Part 7.

Senate Bill No. 445 by Mr. Speaker Wilder.

Taxes, Privilege -- Adds full-time federal, municipal and county employees to persons exempt from paying occupation privilege tax. Amends TCA Section 67-4-1708.

Senate Bill No. 446 by Mr. Speaker Wilder.

Sheriffs -- Deletes physical component for in-service training for sheriffs. Amends TCA Title 8, Chapter 8, Part 1 and Title 38, Chapter 8, Part 1.

Senate Bill No. 447 by Senator Ford.

Taxes -- Requires state-shared taxes and state-collected revenue which by law are allocated to municipality to be paid directly to municipalities in Shelby County; implements provision over two-year period with 50 percent being paid for fiscal year July 1, 2003, to June 30, 2004; and 100 percent for fiscal year July 1, 2004, to June 30, 2005, and thereafter. Amends TCA Title 9, Chapter 4.

Senate Bill No. 448 by Senator Cohen.

Regional Authorities and Special Districts -- Requires Four Lake regional industrial development authority before selling, disposing or leasing land for purpose of constructing uranium enrichment facility to include in purchase agreement certain requirements. Amends TCA Title 64, Chapter 5, Part 2.

Senate Bill No. 449 by Senator Crowe.

County Government -- Authorizes counties to pay for deceased pauper's cremation expenses; requires verification of financial need and no alternative source of funding by affidavit. Amends TCA Section 5-9-101 and Section 5-9-311.

Senate Bill No. 450 by Senator Ford.

Open Meetings -- Requires members of boards and commissions to be made aware of Sunshine Law. Amends TCA Title 8.

Senate Bill No. 451 by Senator Ford.

Adoption -- Requires signature on petition for adoption to be notarized. Amends TCA Title 36 and Title 37.

Senate Bill No. 452 by Senator Ford.

General Assembly -- Creates presumption that estimated amount of expenditures in fiscal note of any general bill is amount of first year's funding required under Section 24, Art. II of Constitution, if bill is enacted; if bill is amended, fiscal note must be promptly revised for increase or decrease in expenditures. Amends TCA Title 3.

Senate Bill No. 453 by Senator Ford.

Governor -- Requires governor to submit legislation to revise TCA to reflect changes in governmental structure made by executive order. Amends TCA Title 4.

Senate Bill No. 454 by Senator Ford.

General Assembly -- Requires amendment of disclosure statement by members of General Assembly within 90 days of change of circumstances. Amends TCA Title 2, Chapter 10; Title 3 and Title 8, Chapter 50.

Senate Bill No. 455 by Senator Ford.

Escheat -- Requires informational forms to be filed within 60 days, rather than "promptly", with state treasurer after actual knowledge of facts indicating possibility of escheat of property is obtained. Amends TCA Title 31.

Senate Bill No. 456 by Senator Ford.

Zoning -- Increases time period in which county building commissioner must return by mail certificate of compliance, or copy thereof, to permittee from 10 to 30 working days after building permit expires. Amends TCA Title 13.

Senate Bill No. 457 by Senator Ford.

Corporations, For Profit -- Increases length of validity for proxy appointment for corporate shareholder voting purposes from 11 months to one year. Amends TCA Title 48.

Senate Bill No. 458 by Senator Ford.

Taxes, Real Property -- Increases amount of recordation tax earmarked for wetland acquisition fund, local parks land acquisition fund, and state lands acquisition fund by one-fourth cent for each fund. Amends TCA Title 67, Chapter 4.

Senate Bill No. 459 by Senator Ford.

Taxes, Sales -- Reduces from 90 to 60 days period in which dealer can be reimbursed on refunded item for sales tax collected but not yet remitted to commissioner. Amends TCA Title 67.

Senate Bill No. 460 by Senator McNally.

Insurance, Health, Accident -- Establishes mechanism to regulate recoupment of health care provider claims by certain entities.

Senate Bill No. 461 by Senator McNally.

Hospitals and Health Care Facilities -- Changes language referring to home health agencies to home care organizations under certificate of need provisions; adds language to exempt home care organizations from certificate of need requirement if authorized to provide only professional support services. Amends TCA Title 68, Chapter 11, Part 16.

Senate Bill No. 462 by Senator McNally.

Controlled Substances -- Increases gamma hydroxybutyric acid from Schedule IV to Schedule I controlled substance and gamma hydroxybutyric acid from Schedule IV to Schedule III; defines and makes criminal analogues of Schedule I or II controlled substance. Amends TCA Title 39, Chapter 13, Part 5 and Title 39, Chapter 17, Part 4.

Senate Bill No. 463 by Senator McNally.

Education -- Prohibits discrimination in employment of principals on account of national origin. Amends TCA Title 49.

Senate Bill No. 464 by Senator Graves.

Courts, Juvenile -- Authorizes juvenile court to commit unruly child to custody of Department of Children's Services upon specific findings regarding child's circumstances which court determines

justify commitment for sake of child's welfare even if department fails to certify to court there is no other less drastic measure than court intervention. Amends TCA Section 37-1-132.

Senate Bill No. 465 by Senator Graves.

Parks, Natural Areas Preservation -- Enacts "State Parks Management and Preservation Act of 2003". Amends TCA Title 11, Chapter 2 and Title 11, Chapter 3.

Senate Bill No. 466 by Senator Graves.

Hospitals and Health Care Facilities -- Exempts certain nonprofit entities contracting with division of mental retardation services from liability for noneconomic and punitive damages. Amends TCA Title 33.

Senate Bill No. 467 by Senator Graves.

Zoning -- Clarifies that right of businesses to continue to operate after zoning change does not include right to increase or enlarge signs or billboards; permits reconstruction on existing signage only to extent such reconstruction returns sign to original condition. Amends TCA Section 13-7-208.

Senate Bill No. 468 by Senator Graves.

Environment and Conservation, Dept. of -- Requires Commissioner of Environment and Conservation to file annual written report detailing Tennessee environmental protection fund fee revenues and expenditures for prior fiscal year. Amends TCA Section 68-203-102.

Senate Bill No. 469 by Senator Burks.

Drugs -- Requires retailer selling products containing ephedrine or pseudoephedrine to create register containing certain information related to any buyer purchasing such products in quantities of \$25.00 or more. Amends TCA Title 39, Chapter 17, Part 4 and Title 53.

Senate Bill No. 470 by Senator Burks.

Criminal Offenses -- Establishes limitations on sale of products containing ephedrine, pseudoephedrine, or phenylpropanolamine; creates Class A misdemeanor and civil penalty for violation of such restrictions. Amends TCA Title 39, Chapter 17, Part 4.

Senate Bill No. 471 by Senator Burks.

Criminal Offenses -- Creates Class E felony offense of possession of substance with intent to use it to manufacture Schedule I or II controlled substance or convey it to another for such use but does not apply to persons licensed to dispense or prescribe such controlled substance. Amends TCA Title 39, Chapter 17, Part 4.

Senate Bill No. 472 by Senator Burks.

Criminal Procedure -- Provides that regardless of sentence imposed, defendant convicted of any form of homicide or sexual offense may not serve sentence in local jail or workhouse nor is any such defendant eligible for trusty status. Amends TCA Title 40.41.

Senate Bill No. 473 by Senator Burks.

Criminal Offenses -- Adds knowing killing of another committed while under influence of intoxicant, marijuana, narcotic drug, or other drug producing stimulating effects on central nervous system to definition of first degree murder. Amends TCA Title 39, Chapter 13, Part 2.

Senate Bill No. 474 by Senator Burks.

DUI/DWI Offenses -- Requires sheriff of each county to file written policy relative to access for drug and alcohol treatment organizations with Department of Mental Health and Developmental

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Disabilities. Amends TCA Title 39, Chapter 13, Part 1; Title 55, Chapter 50 and Title 55, Chapter 10, Part 4.

Senate Bill No. 475 by Senator Burks.

DUI/DWI Offenses -- Authorizes judge to sentence first-time DUI offenders to remove litter from highways for 48 hours in lieu of 48 hours of incarceration. Amends TCA Title 55, Chapter 10, Part 4.

Senate Bill No. 476 by Senator Burks.

DUI/DWI Offenses -- Authorizes judge to sentence first-time DUI offenders to remove litter from highways for 48 hours in lieu of 48 hours of incarceration. Amends TCA Title 55, Chapter 10, Part 4.

Senate Bill No. 477 by Senator Burks.

Sexual Offenses -- Redefines "victim" for purpose of sexual offenses to include defendant's spouse; deletes separate offenses of spousal rape and spousal sexual battery. Amends TCA Title 39, Chapter 13, Part 5.

Senate Bill No. 478 by Senator Burks.

Victims' Rights -- Adds being victim of sex offense or domestic abuse to physical inability to do so as good causes for not reporting crime to authorities within 48 hours for purposes of prohibition against filing claim under criminal injuries compensation fund. Amends TCA Title 29, Chapter 13, Part 1.

Senate Bill No. 479 by Senator Burks.

Victims' Rights -- Adds member of Tennessee Senate and House of Representatives to victims of crime state coordinating council with such new members to be chosen by members of victims' council. Amends TCA Title 40, Chapter 38, Part 4.

Senate Bill No. 480 by Senator Burks.

Victims' Rights -- Clarifies that victim of statutory rape is not to be considered accomplice, criminally responsible or contributing to offense and is therefore eligible to file claim under Criminal Injuries Compensation Act. Amends TCA Title 29, Chapter 13, Part 1.

Senate Bill No. 481 by Senator Burks.

Victims' Rights -- Imposes additional \$200 fine upon persons convicted of certain sexual offenses for purpose of funding sexual assault program services; creates committee to advise and review proposal applications for sexual assault program services. Amends TCA Title 40, Chapter 24 and Title 71, Chapter 6.

Senate Bill No. 482 by Senator Burks.

Local Education Agency -- Clarifies that duties of director of schools include preparation of report concerning number of students in alternative schools. Amends TCA Title 49, Chapter 2.

Senate Bill No. 483 by Senator Burks.

Education -- Allows county commissions to create elected office of director of schools to be filled at regular August election. Amends TCA Section 49-2-203 and Title 49, Chapter 2, Part 3.

Senate Bill No. 484 by Senator Burks.

Local Education Agency -- Allows county commissions by majority vote to re-establish office of county superintendent of public instruction to be popularly elected. Amends TCA Section 49-2-301.

Senate Bill No. 485 by Senator Burks.

Highways, Roads and Bridges -- Exempts from escort and time restrictions transportation of bulldozer or bulldozer equipment less than 13 feet, 6 inches. Amends TCA Title 55, Chapter 7, Part 2.

Senate Bill No. 486 by Senator Burks.

Taxes, Sales -- Redefines "farm equipment and machinery," for purposes of sales tax exemption, to include flat bed trailers used for over-the-road transportation in nursery business and cattle business. Amends TCA Title 67.

Senate Bill No. 487 by Senator Burks.

Transportation, Dept. of -- Deletes requirement that wildflower areas carry appropriate notations. Amends TCA Title 54, Chapter 1, Part 1 and Title 54, Chapter 5, Part 12.

Senate Bill No. 488 by Senator Burks.

Cooperatives -- Requires rural electric and community services cooperatives to have voting machine that reasonably accommodates voters in any contested election. Amends TCA Title 65, Chapter 25, Part 2.

Senate Bill No. 489 by Senator Burks.

Public Records -- Makes personal information of firefighters, law enforcement officers, and emergency medical technicians confidential in job-related investigations. Amends TCA Title 10, Chapter 7.

Senate Bill No. 490 by Senator Burks.

Registers of Deeds -- Clarifies that only certain fees are to be earmarked for computerization of register's office. Amends TCA Section 8-21-1001(d).

Senate Bill No. 491 by Senator Burks.

Grand Juries -- Requires grand jury indictment be presented to clerk for filing. Amends TCA Section 40-13-108.

Senate Bill No. 492 by Senator Burks.

Election Laws -- Enacts "Tennessee Provisional Voting Rights Act of 2003". Amends TCA Section 2-7-112.

Senate Bill No. 493 by Senator Burks.

Cooperatives -- Increases certain filing fees to secretary of state from telephone cooperatives. Amends TCA Title 65, Chapter 29, Part 1.

Senate Bill No. 494 by Senator Burks.

Pensions and Retirement Benefits -- Expands exemption from execution, attachment, or garnishment of retirement funds to claims by State of Tennessee. Amends TCA Title 26, Chapter 2.

Senate Bill No. 495 by Senator Norris.

Banks and Financial Institutions -- Prohibits unauthorized use of financial institution logo or name; prevents false representations of financial institution's endorsement of products and services in advertising or solicitation; makes such acts Class B misdemeanor and violation of Unfair Competition Act; makes such practice violations under general contractor and home improvement contractor law. Amends TCA Title 39; Title 45; Title 47; Title 56 and Title 62.

Senate Bill No. 496 by Senator Clabough.

Banks and Financial Institutions -- Revises present authority for disclosure of customer information by financial institutions in regard to suspected illegal activity to allow disclosure where financial institution or its representatives believe information may be relevant; includes as information that may be disclosed descriptive information and activities in addition to identifying information. Amends TCA Title 45, Chapter 10.

Senate Bill No. 497 by Senator Ford.

Child Custody and Support -- Sets limits on guidelines for establishing child support awards. Amends TCA Title 36, Chapter 5.

Senate Bill No. 498 by Senator Ford.

Taxes, Franchise -- Increases from \$2,000 to \$2,500 amount of job tax credit that may be applied to franchise tax liability. Amends TCA Title 67, Chapter 4.

Senate Bill No. 499 by Senator Ford.

State Employees -- Requires state to provide financial planning seminars for state employees. Amends TCA Title 8.

Senate Bill No. 500 by Senator Ford.

Common Carriers -- Expands definition of airport limousine radius from 40 to 50 miles of airport. Amends TCA Titles 2, 3, 7, 8, 39, 48, 55, 65 and 67.

Senate Bill No. 501 by Senator Ford.

Natural Disaster -- Redefines "natural emergency" to specifically include forest fires, hurricanes and tornadoes. Amends TCA Title 58.

Senate Bill No. 502 by Senator Ford.

Mental Retardation -- Requires methodology for payments to service providers to division of mental retardation services to include salaries for direct care staff that are at least commensurate with salaries of staff at developmental centers. Amends TCA Title 33.

Senate Bill No. 503 by Senator Ford.

Financial Disclosure -- Increases from three to five number of business days in which registry of election finance must give notice of records inspection. Amends TCA Title 2, Chapter 10 and Title 3.

Senate Bill No. 504 by Senator Ford.

Administrative Procedure (UAPA) -- Increases from five to 10 number of persons required to petition agency for adoption or repeal of regulation. Amends TCA Title 4.

Senate Bill No. 505 by Senator Ford.

Sheriffs -- Requires sheriff to file plan of access to persons confined in county jail or workhouse by drug and alcohol treatment organizations with Department of Mental Health and Developmental Disabilities. Amends TCA Title 55, Chapter 10.

Senate Bill No. 506 by Senator Ford.

Courts -- Requires municipalities to reimburse counties when general sessions judges sit for municipal judges. Amends TCA Title 16.

Senate Bill No. 507 by Senator Ford.

Budget Procedures -- Clarifies that budget should outline proposals for capital projects. Amends TCA Title 9, Chapter 4.

Senate Bill No. 508 by Senators Ford and Burchett.

Medical Occupations -- Requires hearing aid to display certain markings for identification purposes. Amends TCA Title 63, Chapter 17.

Senate Bill No. 509 by Senators Ford and Burchett.

Medical Occupations -- Adds doctor of audiology degree to certifications permitting audiologist or speech language pathologist to practice without valid license pending disposition of application. Amends TCA Title 63, Chapter 17.

Senate Bill No. 510 by Senators Ford and Burchett.

Medical Occupations -- Removes "psychometrically-sound" from examination component of definition of hearing instrument specialist. Amends TCA Title 63, Chapter 17.

Senate Bill No. 511 by Senators Ford and Burchett.

Medical Occupations -- Requires person to have hearing examination within six months prior to fitting for hearing aid; provides person not required to receive examination if such examination is medically contraindicated or conflicts with person's religious beliefs. Amends TCA Title 63, Chapter 17.

Senate Bill No. 512 by Senator Jackson.

Privacy, Confidentiality -- Authorizes judge presiding over case involving child custody to compel, upon motion of any party, production of information in best interests of child that is contained in controlled substances database created within board of pharmacy. Amends TCA Section 53-10-306.

Senate Bill No. 513 by Senator Jackson.

County Officers -- Prohibits county legislative body from decreasing salary of county executive during term of office of such official. Amends TCA Section 5-6-105.

Senate Bill No. 514 by Senator Jackson.

Highway Signs -- "Hickman County Veterans Highway", segment of S.R. 230.

Senate Bill No. 515 by Senator Jackson.

Animal Control -- Authorizes counties and municipalities to seize dogs running at large within their respective jurisdictions; defines "running at large". Amends TCA Title 44.

Senate Bill No. 516 by Senator Jackson.

Nurses, Nursing -- Requires qualified person wanting certificate to practice as advanced practice nurse to apply to board of nursing for such certificate. Amends TCA Section 63-7-126.

Senate Bill No. 517 by Senator Jackson.

Dentists -- Clarifies that dental services provided pursuant to Dental Service Plan Law, 1961 or through prepaid dental plan offering group prepaid dental service may be provided by and through mobile dental services provider. Amends TCA Title 56, Chapter 30; Section 56-7-1701; Title 63, Chapter 5, Part 1; Title 68 and Title 71.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 518 by Senator Jackson.

Child Custody and Support -- Limits retroactive orders for child support in paternity actions to two years preceding commencement of paternity action unless order of support previously entered. Amends TCA Title 36, Chapter 2, Part 3 and Title 36, Chapter 5.

Senate Bill No. 519 by Senator Jackson.

Paternity -- Clarifies that father of child born out of wedlock not liable for child support until he knew or should have known he is father or until he receives service of process for petition of paternity, but in no event is he liable for more than three years of retroactive child support. Amends TCA Title 36, Chapter 2, Part 3 and Title 36, Chapter 5.

Senate Bill No. 520 by Senator Jackson.

Criminal Procedure -- Adopts "National Crime Prevention and Privacy Compact". Amends TCA Title 38.

Senate Bill No. 521 by Senator Jackson.

Child Custody and Support -- Clarifies that child support guidelines do not apply when obligor parent can prove by clear and convincing evidence that private agreement for child support was freely entered into by both parents. Amends TCA Title 36, Chapter 5, Part 1.

Senate Bill No. 522 by Senator Jackson.

Paternity -- Provides that man proved by genetic testing not to be father of child is not liable for child support in certain circumstances. Amends TCA Title 36, Chapter 2, Part 3 and Title 36, Chapter 5, Part 1.

Senate Bill No. 523 by Senator Trail.

Public Utilities -- Establishes that special rates and terms are valid when reached through negotiation between public utility and business customer. Amends TCA Section 65-5-201.

Senate Bill No. 524 by Senator Trail.

Internet and e-Commerce -- Declares broadband Internet service to not be telecommunications and not subject to state regulation in terms of facilities, equipment, or rates unless regulatory requirement is imposed equally upon all providers of broadband service. Amends TCA Title 65.

Senate Bill No. 525 by Senator Trail.

Public Defenders -- Establishes scale for compensation of full-time district public defenders based upon number of years of service. Amends TCA Title 8, Chapter 14 and Title 16, Chapter 2.

Senate Bill No. 526 by Senator Trail.

Powers of Attorney -- Enacts "Power of Attorney for Care of a Minor Child Act". Amends TCA Title 34, Chapter 6; Section 37-1-140 and Section 49-6-3001.

Senate Bill No. 527 by Senator Trail.

School Transportation -- Allows LEAs to provide school transportation outside 250 yard radius of school rather than outside one and one-half mile distance by road. Amends TCA Title 49, Chapter 6, Part 21.

Senate Bill No. 528 by Senator Trail.

Child Custody and Support -- Changes time interval for review of child support guidelines from every four years to every two years. Amends TCA Section 36-5-101.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 529 by Senator McLeary.

Transportation, Dept. of -- Urges commissioner to include wildflowers native to grand division in new plantings of wildflowers pursuant to wildflower program. Amends TCA Title 3; Title 4; Title 8; Title 54; Title 55; Title 65 and Title 67.

Senate Bill No. 530 by Senator McLeary.

Special License Plates -- Deletes provision concerning comptroller's performance audit of special license plates. Amends TCA Title 4; Title 54 and Title 55.

Senate Bill No. 531 by Senator Henry.

Local Education Agency -- Requires each local government to establish deferred compensation plans for officials; to allow such officials to retain insurance upon leaving office; and requires all local governments to establish cafeteria plans for employees and officials. Amends TCA Title 5; Title 6 and Title 8.

Senate Bill No. 532 by Senator Ford.

Foster Care -- Establishes pilot project for group therapeutic homes for at-risk children in Shelby County. Amends TCA Title 37.

Senate Bill No. 533 by Senator Ford.

Nurses, Nursing -- Authorizes qualified nurse practitioners to write and sign certain prescriptions and to issue drugs without direct physician supervision. Amends TCA Section 63-7-123.

Senate Bill No. 534 by Senator Ford.

Bail, Bail Bonds -- Revises provisions relative to forfeiture of bail bonds and bail bondsmen's liability; prohibits certain persons from working for or owning company that owns bail bond company; increases remuneration for services rendered in investigation of solvency of bail bondsmen and requires such services to be compensated from bail bond tax. Amends TCA Title 40, Chapter 11 and Title 67, Chapter 4, Part 8.

Senate Bill No. 535 by Senator Miller.

Civil Procedure -- Requires at least 80 percent of settlement or judgment awarded in class action be given to class. Amends TCA Title 20 and Title 29.

Senate Bill No. 536 by Senator Miller.

Lottery -- Requires scholarships from net proceeds to be equal for public and private institutions. Amends TCA Title 4 and Title 49.

Senate Bill No. 537 by Senator Miller.

Tort Liability -- Limits noneconomic damages to injured plaintiff in medical malpractice action to one million dollars. Amends TCA Title 29, Chapter 26.

Senate Bill No. 538 by Senator Miller.

Lottery -- Defines "capital outlay projects for K-12 educational facilities" for funding purposes. Amends TCA Title 4 and Title 49.

Senate Bill No. 539 by Senator Miller.

Homestead Exemptions -- Provides enhanced homestead exemption for persons 62 years of age or older. Amends TCA Title 26.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 540 by Senator Miller.

Taxes, Sales -- Creates sales tax holiday for 72-hour period beginning first Friday in August each year. Amends TCA Title 67, Chapter 6.

Senate Bill No. 541 by Senators Henry and Haynes.

Energy -- Defines energy resource recovery facility to clarify that energy produced in such facilities should not be subject to sales and use tax in counties with metropolitan form of government. Amends TCA Section 67-6-102.

Senate Bill No. 542 by Senator Miller.

Prisons and Reformatory Institutions -- Directs comptroller of treasury with assistance of Commissioner of Correction to develop monitoring and reporting process regarding private prison management contracts for incarcerating out-of-state prisoners and present annual status report to select oversight committee on corrections. Amends TCA Title 41.

Senate Bill No. 543 by Senator Miller.

Taxes, Sales -- Extends from 40 to 50 days period under local option law in which county may adopt local option tax after municipality in same county has adopted tax. Amends TCA Title 67, Chapter 6.

Senate Bill No. 544 by Senator Miller.

Taxes, Motor Vehicle -- Transfers motor vehicle registration fees from highway fund to education trust fund of 1992. Amends TCA Title 55, Chapter 4 and Title 55, Chapter 6.

Senate Bill No. 545 by Senator Miller.

Insurance, Fire and Casualty -- Revises provisions relative to risk, coverage and deductible amounts for county mutual fire insurance companies. Amends TCA Title 56, Chapter 22.

Senate Bill No. 546 by Senator Fowler.

Education -- Revises Educational Records as Evidence Act to include postsecondary institutions and to comply with provisions of Family Educational Rights and Privacy Act. Amends TCA Title 49, Chapter 50, Part 15.

Senate Bill No. 547 by Senator Fowler.

Health Care -- Requires psychotropic drugs to be administered to students by nurse or physician or person trained by Department of Health; requires permission from student's attending physician to administer psychotropic drugs; prohibits psychotropic drug administration to students for experimental purposes. Amends TCA Title 49, Chapter 5 and Title 68.

Senate Bill No. 548 by Senator Clabough.

Alcoholic Beverages -- Permits intoxicating liquors licensee to sell lottery tickets if licensee has met all applicable requirements to be participating seller of Tennessee lottery tickets. Amends TCA Section 57-3-104; Section 57-3-204; Section 57-3-210; Section 57-3-213; Section 57-3-214; Section 57-3-401; Section 57-3-402; Section 57-3-403; Section 57-3-404; Section 57-3-406; Section 57-3-703 and Section 57-3-704.

Senate Bill No. 549 by Senator Clabough.

Alcoholic Beverages -- Revises restrictions on caterers selling or distributing alcoholic beverages. Amends TCA Title 57, Chapter 4.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 550 by Senator Clabough.

Criminal Offenses -- Allows merchants to aid in prevention of sale of alcoholic beverages to persons underage. Amends TCA Section 39-15-413.

Senate Bill No. 551 by Senator Clabough.

Insurance, Health, Accident -- Prohibits display of social security number on health insurance identification cards. Amends TCA Title 56.

Senate Bill No. 552 by Senator Clabough.

Taxes, Sales -- Defines and provides service address location for "post-paid calling service". Amends TCA Title 67, Chapter 6.

Senate Bill No. 553 by Senator Clabough.

Taxes -- Exempts attorneys, dentists, physicians, audiologists, optometrists, public and certified public accountants, and speech pathologists from occupational privilege tax if classified as inactive except for pro bono and charitable services by appropriate licensing board. Amends TCA Title 67.

Senate Bill No. 554 by Senator Clabough.

Firefighters -- Prohibits employer from terminating employee, who is volunteer firefighter, and who misses work or is late to work in order to respond to emergency. Amends TCA Title 8; Title 50 and Title 68, Chapter 102.

Senate Bill No. 555 by Senator Clabough.

Hospitals and Health Care Facilities -- Changes sunset date of health services and development agency to June 30, 2005; increases from \$1.5 million to \$2 million of major medical equipment before CON is required; requires public hearings by board for licensing health care facilities on proposed rules by board. Amends TCA Title 4 and Title 68, Chapter 11.

Senate Bill No. 556 by Senator Clabough.

Hospitals and Health Care Facilities -- Permits member of health services and development agency to serve two consecutive one-year terms as vice chair instead of one such term. Amends TCA Title 68, Chapter 11.

Senate Bill No. 557 by Senator Clabough.

Taxes, Sales -- Allocation of taxes due on bundled telecommunications services. Amends TCA Title 67, Chapter 6.

Senate Bill No. 558 by Senator Clabough.

Tobacco Master Settlement Agreement -- Enacts model language to aid enforcement of Tennessee Tobacco Manufacturer's Escrow Fund Act. Amends TCA Title 47, Chapter 31.

Senate Bill No. 559 by Senator Burchett.

Dentists -- Increases maximum number of continuing dental education hours that board of dentistry may require from 30 to 35. Amends TCA Title 63, Chapter 5.

Senate Bill No. 560 by Senator Fowler.

Trusts -- Enacts "Uniform Trust Code". Amends TCA Title 30; Title 31; Title 32; Title 34 and Title 35.

Senate Bill No. 561 by Senator Walker.

Harriman -- Subject to local approval, authorizes non-resident landowners to vote in city elections. Amends Chapter 165 of the Private Acts of 1917.

Senate Bill No. 562 by Senator Walker.

Harriman -- Subject to local approval, revises powers and duties of city council; changes date on which interest on city tax debt begins to accrue; makes other various changes to city charter. Amends Chapter 165 of the Private Acts of 1917, as amended.

Senate Bill No. 563 by Senator Walker.

Workers' Compensation -- Expands factors permitting extra-territorial application of Tennessee Workers' Compensation Law to include substantial connection between Tennessee and particular employer and employee relationship. Amends TCA Title 50, Chapter 6.

Senate Bill No. 564 by Senator Jackson.

Boards and Commissions -- Enacts "Board Equity Act of 2003". Amends TCA Title 68 and Title 69, Chapter 3.

Senate Bill No. 565 by Senators Williams, McLeary and Southerland.

Traffic Safety -- Revises requirements for speeding violations occurring within highway construction zones. Amends TCA Section 55-8-153.

Senate Bill No. 566 by Senator Ford.

Comptroller, State -- Requires comptroller to report to House and Senate state and local government committees concerning implementation issues related to permitting 501(c)(3) entities to have fund raising events as permitted by Tennessee Constitution.

Senate Bill No. 567 by Senator Ford.

Education -- Implements early mathematics placement testing program to decrease number of high school graduates requiring postsecondary mathematics remediation. Amends TCA Title 49, Chapter 6.

Senate Bill No. 568 by Senator Ford.

Handgun Permits -- Requires application for renewal of handgun carry permit to be accompanied by proof of successful completion of department approved handgun safety course completed within one year of submission of renewal application. Amends TCA Title 39, Chapter 17, Part 13.

Senate Bill No. 569 by Senator Ford.

Firearms and Ammunition -- Requires, on and after January 1, 2006, that certain newly manufactured handguns sold in this state must be personalized handguns. Amends TCA Title 39, Chapter 17, Part 13.

Senate Bill No. 570 by Senator Williams.

Motor Vehicles -- Clarifies application of lemon law. Amends TCA Section 55-24-201.

Senate Bill No. 571 by Senator Williams.

Traffic Safety -- Increases from 200 feet to 250 feet distance required for driver to give audible warning on obscured mountain highway curve. Amends TCA Title 3; Title 4; Title 8; Title 54; Title 55; Title 65 and Title 67.

Senate Bill No. 572 by Senator Williams.

Railroads -- Requires acceptance of on-board payment of fare by conductor from passenger; authorizes supplement for on-board payment not to exceed one-fourth price of regular fare. Amends TCA Title 54; Title 55; Title 65 and Title 67.

Senate Bill No. 573 by Senator Williams.

Motor Vehicles, Titling and Registration -- Prohibits person violating antique motor vehicle registration provisions from applying for such registration for 10 years rather than five years. Amends TCA Title 55.

Senate Bill No. 574 by Senator Williams.

Highway Signs -- Authorizes Commissioner of Transportation to maximize space for inclusion of greatest number of qualified businesses in specific service sign program. Amends TCA Title 54, Chapter 5, Part 11.

Senate Bill No. 575 by Senator Williams.

Motor Vehicles -- Removes antique vehicles from lemon law and puts back in passenger motor vehicles. Amends TCA Title 55.

Senate Bill No. 576 by Senator Williams.

Driver Licenses -- Directs Department of Safety to issue certain seasonal, restricted commercial driver licenses for certain limited agricultural usages, as authorized by federal regulation. Amends TCA Title 55, Chapter 50, Part 4.

Senate Bill No. 577 by Senator Williams.

Railroads -- Clarifies that locomotive operator permit must be in compliance with applicable federal law. Amends TCA Title 65, Chapter 12.

Senate Bill No. 578 by Senator Williams.

Traffic Safety -- Clarifies circumstances when driver is required to stop at railroad crossing. Amends TCA Section 55-8-145.

Senate Bill No. 579 by Senator Williams.

Railroads -- Repeals certain provisions dealing with railroad. Repeals TCA Title 65.

Senate Bill No. 580 by Senator Williams.

Railroads -- Reduces annual inspection, control, and supervision fee paid by railroad companies on ton miles from 4 cents per 1,000 ton miles to 2 cents per 1,000 ton miles. Amends TCA Section 65-3-201.

Senate Bill No. 581 by Senator Williams.

Railroads -- Requires public authority with jurisdiction over roads to provide traffic control where crossing construction, maintenance or repair is to occur; authorizes Department of Transportation to enforce. Amends TCA Title 65, Chapter 11, Part 1.

Senate Bill No. 582 by Senator Williams.

Taxes, Sales -- Imposes special sales tax rate of 4.5 percent on diesel fuel used for railroad purposes. Amends TCA Title 67, Chapter 3 and Title 67, Chapter 6.

Senate Bill No. 583 by Senator Williams.

Railroads -- Defines "livestock" for standard of care required for stopping train when such beasts are on tracks. Amends TCA Title 54; Title 64; Title 65 and Title 67.

Senate Bill No. 584 by Senator Williams.

Jefferson City -- Subject to local approval, requires bids for expenditures of \$10,000 or more instead of \$5,000 or more. Amends Chapter 11 of the Private Acts of 1979.

Senate Bill No. 585 by Senator Williams.

Jefferson City -- Subject to local approval, changes general city election from May to November. Amends Chapter 11 of the Private Acts of 1979; as amended.

Senate Bill No. 586 by Senator Williams.

Divorce, Annulment and Alimony -- Provides that parties to divorce on ground of irreconcilable differences do not have to be present at final hearing if court approves of marital dissolution agreement and such agreement has been signed by both parties for 30 days. Amends TCA Section 36-4-103.

Senate Bill No. 587 by Senator Williams.

Special License Plates -- Authorizes issuance of Tennessee: Home To The Presidents cultural license plates. Amends TCA Title 55, Chapter 4.

Senate Bill No. 588 by Senator Williams.

Special License Plates -- Authorizes issuance of Horticulture cultural license plates. Amends TCA Title 54 and Title 55.

Senate Bill No. 589 by Senator Williams.

Driver Licenses -- Increases from 10 days to 20 days time in which Department of Safety must notify licensing state and commercial driver license information system that commercial driver has violated traffic law; increases from 10 days to 20 days time in which clerk must notify department of conviction of commercial driver violating traffic law. Amends TCA Title 4; Title 54; Title 55; Title 64; Title 65 and Title 67.

Senate Bill No. 590 by Senator Williams.

Highway Signs -- Defines "breakfast" for specific service-sign purposes. Amends TCA Title 4; Title 54 and Title 55.

Senate Bill No. 591 by Senator Williams.

Railroads -- Authorizes conductor to put off non-paying passenger at either regular station or location with working telephone. Amends TCA Title 4; Title 54; Title 65 and Title 67.

Senate Bill No. 592 by Senator Williams.

Special License Plates -- Authorizes issuance of Honeybee new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to agricultural development fund. Amends TCA Title 55, Chapter 4.

Senate Bill No. 593 by Senator Williams.

Special License Plates -- Authorizes issuance of cultural license plate for Tennessee Musical Heritage. Amends TCA Title 3; Title 4; Title 8; Title 54; Title 55; Title 65 and Title 67.

Senate Bill No. 594 by Senator Williams.

Highways, Roads and Bridges -- Defines "milldam" for navigable stream obstruction purposes. Amends TCA Title 54 and Title 55.

Senate Bill No. 595 by Senator Williams.

Driver Licenses -- Increases from ten days to two weeks time in which Department of Safety must notify licensing state and commercial driver license information system that commercial driver has violated traffic law; increases from ten days to two weeks time in which clerk must notify department of conviction of commercial driver violating traffic law. Amends TCA Title 4; Title 54 and Title 55.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 596 by Senator Kyle.

Special License Plates -- Increases from three to five years period of moratorium for re-issuance of special license plates deemed obsolete and invalid; defines "a plate substantially the same in appearance or content" for purposes of moratorium.

Senate Bill No. 597 by Senator Kyle.

Special License Plates -- Authorizes issuance of Wildlife Preservation new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to wildlife resources fund. Amends TCA Title 55, Chapter 4.

Senate Bill No. 598 by Senator Kyle.

Appropriations -- Authorizes appropriations to exceed estimated growth in state's economy. Amends TCA Title 9, Chapter 6, Part 2.

Senate Bill No. 599 by Senator Kyle.

Appropriations -- Makes appropriations for fiscal years 2002-2003, 2003-2004.

Senate Bill No. 600 by Senator Cooper.

Pensions and Retirement Benefits -- Increases Group I state employees' and teachers' retirement allowance from 1.5 percent of final average compensation times years of service to 2.5 percent times years of service. Amends TCA Title 8, Chapter 36.

Senate Bill No. 601 by Senator Kyle.

Health Care -- Grants immunity to certain health care professionals and practices and health care facilities from vicarious liability for acts or omissions of resident, intern or fellow.

Senate Bill No. 602 by Senator Kyle.

Education -- Creates task force to establish guidelines for mold abatement in public schools. Amends TCA Title 49, Chapter 1, Part 2.

Senate Bill No. 603 by Senator Norris.

Gas, Petroleum Products, Volatile Oils -- Allows dealers of liquefied petroleum gas to service gas installation or containers without gaining permission from owner, dealer, consumer of container or installation, or from consumer or property owner where installation or container located. Amends TCA Title 68, Chapter 135.

Senate Bill No. 604 by Senator Norris.

Firearms and Ammunition -- Allows persons within confines of public establishment that serves alcohol or beer and derives 51 percent or more of its gross revenue from sale of food to possess firearm. Amends TCA Title 39, Chapter 17, Part 13.

Senate Bill No. 605 by Senator Norris.

Malpractice, Professional -- Imposes certain requirements on malpractice actions, awards and procedures. Amends TCA Title 29, Chapter 26, Part 1.

Senate Bill No. 606 by Senator Norris.

Sentencing -- Adds to list of enhancement factors offense involving defendant knowingly discharging firearm from within vehicle striking another person outside vehicle causing bodily injury. Amends TCA Section 40-35-114.

Senate Bill No. 607 by Senator Norris.

Firearms and Ammunition -- Increases penalties for unlawful possession of firearm, possessing firearm during commission of felony, and employing firearm during commission of felony; makes such sentences nonprobateable and served consecutively; creates offense of shooting firearm from vehicle. Amends TCA Title 39, Chapter 17.

Senate Bill No. 608 by Senator Harper.

Lottery -- Requires comptroller in consultation with others to make recommendations concerning regulating fund raising practices, such as bingo or races.

Senate Bill No. 609 by Senator Cooper.

Pensions and Retirement Benefits -- Allows judges who took office September 1, 1990, to transfer from Group I to Group 4 of TCRS. Amends TCA Section 8-34-603; Section 8-34-622; Section 8-34-623; Section 8-34-716; Section 8-35-105; Section 8-36-204(b)(1) and Section 8-36-702.

Senate Bill No. 610 by Senator Jackson.

Judicial Officers -- Requires budgets of district attorneys general, public defenders, and court system to include funding provided or available from any source, and limits expenditures by district attorneys general from Fraud and Economic Crime fund. Amends TCA Title 4; Title 8; Title 16; Title 17; Title 18; Title 39 and Title 40.

Senate Bill No. 611 by Senator Norris.

Environment and Conservation, Dept. of -- Changes reference to Tennessee association of business to Tennessee chamber of commerce and industry in wastewater financing board statute; removes language concerning environmental fees in place on January 1, 1992, in Tennessee environmental protection fund statute. Amends TCA Title 68.

Senate Bill No. 612 by Senator Norris.

Dams -- Removes exemption from injunction and penalties for Loudon County under Safe Dams Act; adds one representative appointed from list provided by state chambers of commerce to water quality control board instead of one representative appointed from list provided by state association of business. Amends TCA Title 69.

Senate Bill No. 613 by Senator Trail.

Banks and Financial Institutions -- Distinguishes differences between demand drafts and other types of checks; revises standard for making claim on lost instruments; clarifies statutory definition of "banking day" to mean only days on which Federal Reserve processes checks. Amends TCA Title 47, Chapter 3 and Title 47, Chapter 4.

Senate Bill No. 614 by Senator Trail.

Business and Commerce -- Enacts "Uniform Fraudulent Transfer Act". Amends TCA Title 66.

Senate Bill No. 615 by Senator Williams.

Tennessee Bureau of Investigation -- Enacts "Tennessee Amber Alert Plan". Amends TCA Title 38 and Title 39.

Senate Bill No. 616 by Senator Williams.

Advertising -- Prohibits Commissioner of Transportation from refusing to issue billboard permit renewal or cancel tags when person fails to pay renewal fee, unless commissioner has provided notice in accordance with existing statute. Amends TCA Title 54, Chapter 21.

Senate Bill No. 617 by Senator Bryson.

DUI/DWI Offenses -- Requires health care provider to notify law enforcement officer of blood or urine test results under certain circumstances. Amends TCA Title 55, Chapter 10, Part 4.

Senate Bill No. 618 by Senator Bryson.

Special License Plates -- Authorizes issuance of Choose Life new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to New Life Resources to provide assistance to pregnant women.

Senate Bill No. 619 by Senator Ketron.

Tennessee Higher Education Commission -- Requires THEC to review and study names of all colleges and universities and recommend changes if necessary to General Assembly. Amends TCA Title 49, Chapter 7, Part 2.

Senate Bill No. 620 by Senator Haynes.

Water -- Decreases number of days water quality control board has to notify appointing authority in writing of vacancy and days appointing authority has to fill such vacancy from 90 to 60 days. Amends TCA Section 69-3-104.

Senate Bill No. 621 by Senator Haynes.

Taxes, Hotel/Motel -- Applies hotel/motel tax cumulatively where county and municipality have tax in effect in situations where county tax also applies within municipal limits; establishes restrictions on taxes imposed after July 1, 2003; grandfathers taxes in effect prior to July 1, 2003. Amends TCA Title 67, Chapter 4.

Senate Bill No. 622 by Senator Haynes.

Divorce, Annulment and Alimony -- Permits courts discretion as to type of alimony awarded; establishes transitional alimony as type of alimony that may be awarded. Amends TCA Title 36, Chapter 5, Part 1.

Senate Bill No. 623 by Senator Haynes.

Local Government, General -- Authorizes municipalities and counties having population in excess of 200,000 to train and certify paramedics employed by such municipality or county; training and certification to meet certain requirements and standards. Amends TCA Title 68, Chapter 140, Part 5.

Senate Bill No. 624 by Senator Haynes.

Contractors -- Clarifies that alarm systems contractors working within scope of their licenses are not subject to oversight by board for licensing contractors. Amends TCA Title 62, Chapter 37 and Title 62, Chapter 6.

Senate Bill No. 625 by Senator Haynes.

Alcoholic Beverages -- Increases amount of alcoholic beverages person can lawfully import, ship or deliver, or cause to be imported, shipped or delivered into this state from one gallon to three gallons. Amends TCA Title 39, Chapter 17, Part 7 and Title 57, Chapter 3.

Senate Bill No. 626 by Senator Haynes.

Regional Authorities and Special Districts -- Revises regional transportation authority. Amends TCA Title 64, Chapter 8, Part 1.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 627 by Senator Haynes.

Regional Authorities and Special Districts -- Increases governor's appointees on regional transportation authority from six to nine. Amends TCA Title 64, Chapter 8, Part 1.

Senate Bill No. 628 by Senator Haynes.

Local Government, General -- Authorizes local governments to establish Section 529 education savings plans.

Senate Bill No. 629 by Senator Haynes.

Public Records -- Authorizes municipalities to dispose of permanent paper records where such records have been appropriately preserved by other means such as microfilm or computer storage, and to adopt reasonable rules and policies relative to municipal records. Amends TCA Section 10-7-702.

Senate Bill No. 630 by Senator Haynes.

Taxes, Privilege -- Allows municipalities to pay occupational privilege tax on behalf of their affected employees, subject to two-thirds vote of municipal governing body. Amends TCA Section 67-4-1709.

Senate Bill No. 631 by Senator McNally.

Teachers, Principals and School Personnel -- Deletes requirement that teachers be retired for one year before eligible for re-employment and retention of pension benefits. Amends TCA Section 8-36-821.

Senate Bill No. 632 by Senator McNally.

Pensions and Retirement Benefits -- Enacts "Educators' Deferred Retirement Option Plan". Amends TCA Title 8, Chapter 34.

Senate Bill No. 633 by Senator Burchett.

Local Education Agency -- Excludes certain principals from "negotiating unit" under Education Professional Negotiations Act. Amends TCA Section 49-5-602(7).

Senate Bill No. 634 by Senator Kurita.

Campaigns and Campaign Finance -- Requires registry of election finance to create electronic filing system; requires registry to provide public access to list of campaign contributions made to candidates through Internet. Amends TCA Title 2, Chapter 10.

Senate Bill No. 635 by Senator Ford.

Students -- Prohibits board of education employees or contract employees from recommending use of psychotropic drugs on students in elementary or secondary schools until task force appointed and report issued to General Assembly. Amends TCA Title 49, Chapter 6, Part 50.

Senate Bill No. 636 by Senator Ford.

Students -- Prohibits school personnel from recommending psychotropic drugs such as Ritalin to treat elementary and secondary school students for behavioral concerns. Amends TCA Title 49, Chapter 6, Part 50.

Senate Bill No. 637 by Senator Ford.

State Inmates -- Requires first or second term inmates without high school diplomas or GEDs to attend GED examination preparation classes. Amends TCA Title 41, Chapter 21.

Senate Bill No. 638 by Senator Ford.

Insurance Companies, Agents, Brokers, Policies -- Prohibits insurance companies from using credit scores to deny coverage or escalate cost of premiums. Amends TCA Title 47, Chapter 18 and Title 56.

Senate Bill No. 639 by Senator Ford.

Consumer Protection -- Renames Tennessee Identity Theft Deterrence Act of 1999 as "Tennessee Identification and Personal Information Protection Act of 2003"; includes unauthorized transfer of personal information under such act. Amends TCA Title 45; Title 47, Chapter 18 and Title 56.

Senate Bill No. 640 by Senator Ford.

Attorneys at Law -- Requires information relative to attorney disciplinary filings (including information filed prior to final disposition) be made public, including access to such information on Internet. Amends TCA Title 23, Chapter 3, Part 1 and Title 47, Chapter 18.

Senate Bill No. 641 by Senator Cooper.

Plumbers and Plumbing -- Creates "Tennessee Plumbing Health and Safety Act". Amends TCA Title 62.

Senate Bill No. 642 by Senator Cooper.

TennCare -- Revises Medicaid subrogation statute. Amends TCA Section 71-5-117.

Senate Bill No. 643 by Senator Cooper.

Law Enforcement -- Provides that present procedural due process rights statutorily granted to law enforcement officers under investigation apply to all agencies that do not otherwise have established procedure regardless of whether agency provides property interest in employment. Amends TCA Title 38, Chapter 8, Part 3.

Senate Bill No. 644 by Senator Cooper.

Sports -- Restricts certain practices concerning student-athletes, violation punishable as Class E felony; creates additional cause of action concerning institutional losses due to ineligible participation. Amends TCA Title 49, Chapter 7, Part 1.

Senate Bill No. 645 by Senator Cooper.

Bond Issues -- Authorizes \$100,000,000 in general obligation bonds for state government capital projects. Amends Title 9.

Senate Bill No. 646 by Senator Cooper.

TennCare -- Adds information on certified public expenditures and intergovernmental transfers to information fiscal review committee is directed to obtain from bureau of TennCare. Amends TCA Title 71, Chapter 5.

Senate Bill No. 647 by Senator Cooper.

Law Enforcement -- Enacts "Tennessee Law Enforcement Discipline, Accountability, and Due Process Act of 2003". Amends TCA Title 38, Chapter 8, Part 3.

Senate Bill No. 648 by Senator Cooper.

Highways, Roads and Bridges -- Requires Department of Transportation to consult with state building commission on transportation projects. Amends TCA Title 4, Chapter 15; Title 54, Chapter 5 and Title 67.

Senate Bill No. 649 by Senator Cooper.

Insurance, Health, Accident -- Sets certain duties between payor and health care provider concerning selling, leasing or transferring of health care provider's contract. Amends TCA Title 56.

Senate Bill No. 650 by Senator Cooper.

Pharmacy, Pharmacists -- Requires registration and renewal fees of pharmacy technicians to be paid by entity employing pharmacy technician. Amends TCA Title 63, Chapter 10, Part 5.

Senate Bill No. 651 by Senator Cooper.

Pharmacy, Pharmacists -- Exempts pharmacy technicians from license registration and renewal fees. Amends TCA Title 63, Chapter 10, Part 5.

Senate Bill No. 652 by Senator Cooper.

Commerce and Insurance, Dept. of -- Expands power of department to examine and investigate affairs of every person, entity, company, or organization providing malpractice insurance, affiliate of parent of insurance company providing malpractice insurance or affiliate of such insurance company for certain purposes. Amends TCA Title 4; Title 29; Title 39 and Title 56.

Senate Bill No. 653 by Senator Cooper.

Real Property -- Creates cause of action for purchasers of real property who purchase property that seller knows to have been used as laboratory for creation of methamphetamine. Amends TCA Title 66.

Senate Bill No. 654 by Senator Cooper.

Unemployment Compensation -- Adds nonprofit employers and local governments as employers not to be charged when benefits are paid for claim that is reversed. Amends TCA Title 50, Chapter 7.

Senate Bill No. 655 by Senator Cooper.

Pensions and Retirement Benefits -- Allows county election commission members to join TCRS, if approved by county commission. Amends TCA Title 8, Chapter 35, Part 2.

Senate Bill No. 656 by Senator Cooper.

Boards and Commissions -- Requires locksmiths to be licensed by board for licensing locksmiths.

Senate Bill No. 657 by Senator Cooper.

Telecommunications -- Clarifies that "transmitting intelligence" for purposes of rights-of-way over certain lands includes Internet and cable television transmissions. Amends TCA Title 65, Chapter 21.

Senate Bill No. 658 by Senator Cooper.

Dentists -- Increases number of dental hygienists on dental board from two to five; requires vacancies on board not filled within 90 days to be filled by Speaker of House; requires board minutes and annual reports to be posted on Internet; increases compensation of board members; makes other various changes regarding dentists and hygienists. Amends TCA Title 63, Chapter 5.

Senate Bill No. 659 by Senator Cooper.

Banks and Financial Institutions -- Deletes bank-insurance anti-affiliation provisions. Amends TCA Title 56.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 660 by Senator Cooper.

Banks and Financial Institutions -- Lowers time limit for de novo acquisition of branch from being in operation for five years to being open and engaged in business of banking for at least three continuous years. Amends TCA Title 45, Chapter 2.

Senate Bill No. 661 by Senator Cooper.

Banks and Financial Institutions -- Deletes restriction on check cashing charges held invalid by federal district court in Nashville; preempted by National Bank Act. Amends TCA Title 45, Chapter 2.

Senate Bill No. 662 by Senator Cooper.

Banks and Financial Institutions -- Extends period of time for disposing of repossessed personal property from six months to one year; deletes restriction on check cashing charges held invalid by federal district court; eliminates safe deposit notice requirement; reduces period of time for acquiring de novo bank from five years to three years. Amends TCA Title 45, Chapter 2.

Senate Bill No. 663 by Senator Cooper.

Employees, Employers -- Allows public employees right to organize, form, join, assist and participate in activities of employee organizations. Amends TCA Title 4; Title 5; Title 6; Title 7 and Title 8.

Senate Bill No. 664 by Senator Cooper.

Finance and Administration, Dept. of -- Directs commissioner to review property leased by state to see if it would be more advantageous to own such property; commissioner is further directed to report such determinations to Governor. Amends TCA Title 4 and Title 12.

Senate Bill No. 665 by Senator Cooper.

TennCare -- Clarifies that hospital providers are not obligated to contract with specific managed care organizations in order to receive supplemental payments. Amends TCA Title 56 and Title 71.

Senate Bill No. 666 by Senator Cooper.

Workers' Compensation -- Revises composition of nonvoting members of workers' compensation advisory council to add one healthcare provider and remove one attorney. Amends TCA Title 50, Chapter 6.

Senate Bill No. 667 by Senator Cooper.

Franklin County -- Subject to local approval, authorizes floating restaurant in Franklin County to sell beer upon obtaining necessary permits from beer board.

Senate Bill No. 668 by Senators McNally and Burchett.

Railroads -- Provides for credits for depreciation of repairs when proceeds from sale of short-line railroads are deposited in transportation equity fund. Amends TCA Section 9-4-207.

Senate Bill No. 669 by Senators McNally and Burchett.

Railroads -- Requires all Class III railroads to maintain crossings on all roads not maintained by state. Amends TCA Section 65-11-103.

Senate Bill No. 670 by Senator McNally.

Education, Higher -- Authorizes Roane State Community College to offer career technical program leading to associates degree in applied science. Amends TCA Title 49, Chapter 8.

Senate Bill No. 671 by Senator McNally.

Regional Authorities and Special Districts -- Increases General Assembly membership on Greater Nashville Regional Council, Four Lake Regional Industrial Council, and West Tennessee river basin authority. Amends TCA Title 64.

Senate Bill No. 672 by Senator McNally.

Physicians and Surgeons -- Adds performance of surgery requiring general anesthesia outside hospital as grounds for board of medical examiners to deny, suspend or revoke license to practice medicine. Amends TCA Title 63, Chapter 6.

Senate Bill No. 673 by Senator McNally.

Criminal Offenses -- Broadens offense of custodial interference to include circumstances in which biological father moves child without consent of mother who has lawful custody because child was born out of wedlock and there has been no court order of custody. Amends TCA Title 39, Chapter 13, Part 3.

Senate Bill No. 674 by Senator McNally.

Managed Care Organizations -- Establishes procedures and requirements for MCOs to use with health care providers for downcoding and bundling. Amends TCA Title 56, Chapter 7, Part 10.

Senate Bill No. 675 by Senator McNally.

Taxes, Exemption -- Redefines "industrial machinery" for sales and use tax purposes to include certain research and development machinery; exempts such machinery from sales tax. Amends TCA Title 67.

Senate Bill No. 676 by Senator McNally.

Tennessee Higher Education Commission -- Requires THEC to take various factors other than enrollment projections into account when devising higher education funding formula. Amends TCA Title 49, Chapter 7, Part 2.

Senate Bill No. 677 by Senator McNally.

Equalization Board -- Permits state board of equalization to approve county reappraisal cycle longer than six years for purpose of synchronizing county's cycle with contiguous county's cycle, where city lies partly in each county. Amends TCA Section 67-5-1601.

Senate Bill No. 678 by Senator McNally.

Education, State Board of -- Authorizes board of education to develop model grading policy. Amends TCA Title 49.

Senate Bill No. 679 by Senator McNally.

Employees, Employers -- Repeals requirement of occupational health and safety report to Governor and General Assembly. Amends TCA Title 50.

Senate Bill No. 680 by Senator McNally.

Unemployment Compensation -- Requires nonprofit organization to make payment of premium no later than 30 business days, instead of 30 calendar days, after date bill is mailed or given to such organization. Amends TCA Title 50, Chapter 7.

Senate Bill No. 681 by Senator McNally.

Insurance, Health, Accident -- Requires disclosure of certain payments to insurance companies by certain entities. Amends TCA Title 56.

Senate Bill No. 682 by Senator Fowler.

Highway Signs -- Limits specific service sign categories to fuel and food at Exit 1 on I-75 in Hamilton County due to safety concerns. Amends TCA Title 54, Chapter 5, Part 11.

Senate Bill No. 683 by Senator Cohen.

Election Laws -- Allows county election commissions to establish centrally located voting sites; requires persons trying to receive party nomination by write-in ballots to complete notice requesting ballots be counted. Amends TCA Title 2, Chapter 2; Title 2, Chapter 7 and Title 2, Chapter 8.

Senate Bill No. 684 by Senator Cohen.

County Government -- Requires county attorneys to advise county officials about state and federal laws applicable to officials' duties. Amends TCA Title 5.

Senate Bill No. 685 by Senator Cohen.

Regional Authorities and Special Districts -- Deletes authority for Commissioner of Environment and Conservation to require Ocoee development agency to relinquish control and operation of completed project on Ocoee River plan. Amends TCA Title 64.

Senate Bill No. 686 by Senator Cohen.

Tennessee Regulatory Authority -- Removes requirement that abstract of minutes of meeting be included in report to General Assembly. Amends TCA Title 65.

Senate Bill No. 687 by Senator Cohen.

Livestock -- Redefines "dairy farm" to include all milk-producing animals instead of limiting it to cows. Amends TCA Title 44.

Senate Bill No. 688 by Senator Ford.

Hospitals and Health Care Facilities -- Requires reporting of medical instruments and other foreign objects left in patient after surgery as unusual events. Amends TCA Title 68, Chapter 11.

Senate Bill No. 689 by Senator Cohen.

Local Government, General -- Requires municipalities and counties to act in best interest of all citizens in expenditure of state and local revenues so services will be provided in most cost-effective manner possible. Amends TCA Title 5; Title 6; Title 7; Title 13; Title 54; Title 57; Title 67; Title 68 and Title 69.

Senate Bill No. 690 by Senator Henry.

County Government -- Authorizes tuition assistance programs for local government employees enrolled in educational institutions located in Tennessee; requires approval of local legislative body. Amends TCA Title 7, Chapter 51 and Title 8.

Senate Bill No. 691 by Senator Henry.

Hospitals and Health Care Facilities -- Provides for access of long-term care ombudsman and certain representatives to long-term care facilities and related records. Amends TCA Title 63; Title 68 and Title 71.

Senate Bill No. 692 by Senator Henry.

Appropriations -- Allows reserve for revenue fluctuations to be used to meet obligations created under insurance policies obtained for use and benefit of state agencies, departments or divisions, subject to specific provisions of General Appropriations Act. Amends Tennessee Code Annotated, Section 9-14-211; Title 9, Chapter 8; and Title 12, Chapter 3, Part 9.

Senate Bill No. 693 by Senator Henry.

Public Funds and Financing -- Removes obsolete reference to public deposits task force. Amends TCA Title 9, Chapter 4.

Senate Bill No. 694 by Senator Henry.

Hospitals and Health Care Facilities -- Revises penalties for and regulation of nursing home facilities. Amends TCA Title 63; Title 68 and Title 71.

Senate Bill No. 695 by Senator Henry.

Wildlife Resources Commission -- Provides that members of Tennessee wildlife resources commission shall be known as "commissioners". Amends TCA Section 70-1-201.

Senate Bill No. 696 by Senator Henry.

Alcoholic Beverages -- Adds bed and breakfast establishments in Davidson County having at least two rooms for sleeping accommodations, seating capacity of 25 people at tables, and business conference center, to those currently authorized in Shelby County to sell alcoholic beverages. Amends TCA Section 57-4-102.

Senate Bill No. 697 by Senator Henry.

Insurance, Motor Vehicles -- Requires information on automotive insurance be included on motor vehicle accident reports. Amends TCA Title 55, Chapter 10.

Senate Bill No. 698 by Senator Henry.

Real Property -- Requires purchaser of real property to obtain wood destroying infestation report before purchasing property; such report shall be warranted for 90 days. Amends TCA Title 62, Chapter 21, Part 2.

Senate Bill No. 699 by Senator Harper.

Zoning -- Exempts certain municipalities that have adopted local planning ordinances providing procedure for non-conforming uses from certain zoning enforcement provisions. Amends TCA Section 13-7-208.

Senate Bill No. 700 by Senator Harper.

Municipal Government -- Adds two vested members of municipal employees appointed by Tennessee professional firefighters association to Tennessee consolidated board for municipal employees. Amends TCA Section 8-34-302.

Senate Bill No. 701 by Senator Harper.

Firefighters -- Requires instead of allows, that two members of commission on firefighting personnel standards and personnel be selected from candidates approved by Tennessee professional firefighters association. Amends TCA Section 4-24-104.

Senate Bill No. 702 by Senator Harper.

Firefighters -- Requires that one member of emergency medical services board be person with certification as EMT-P, EMT, and registered nurse; such person is to be nominated by Tennessee professional firefighter association. Amends TCA Section 68-140-503.

Senate Bill No. 703 by Senator Harper.

Firefighters -- Requires approval by majority vote of citizens in order for local governments to privatize fire protection or related services; existing contracts with private companies for such services not to be affected. Amends TCA Title 8, Chapter 50.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 704 by Senator Harper.

Boards and Commissions -- Creates Tennessee commission on Indian affairs. Amends TCA Title 4.

Senate Bill No. 705 by Senator Harper.

Insurance Companies, Agents, Brokers, Policies -- Makes it unfair and deceptive practice for companies to charge consumer for issuing declination letter. Amends TCA Title 56.

Senate Bill No. 706 by Senator Harper.

Powers of Attorney -- Broadens persons able to petition court to require bond of attorney in fact; allows petition at any time including upon disability or incapacity of principal. Amends TCA Title 34, Chapter 6, Part 1 and Title 39.

Senate Bill No. 707 by Senator Harper.

Victims' Rights -- Requires treasurer to file report each February 1 with clerk of each house detailing activities of criminal injuries compensation fund during previous year. Amends TCA Title 29, Chapter 13, Part 1.

Senate Bill No. 708 by Senator Burchett.

Traffic Safety -- Revises language in present law to delete "unlawful" term to clarify that violation of failing to yield right of way or interfering with properly identified funeral procession which is enabling statute for county or municipal action is clearly civil violation and not criminal. Amends TCA Section 55-8-183.

Senate Bill No. 709 by Senator Burchett.

Contractors -- Extends length of contractor license from two to three years and adjusts fees to ensure no loss of revenue. Amends TCA Title 62, Chapter 6.

Senate Bill No. 710 by Senator Burchett.

Law Enforcement -- Makes it misdemeanor to file false allegations of misconduct against police officer or to file civil claim with intent to harass or dissuade officer from carrying out such officer's official duties; requires law enforcement agency to have complainant read and sign certain advisory. Amends TCA Title 39, Chapter 16, Part 6.

Senate Bill No. 711 by Senator Burchett.

Motor Vehicles -- Increases from 200 feet to 250 feet distance within which vehicle stopped or parked on highway must be in clear view to other vehicles. Amends TCA Title 55.

Senate Bill No. 712 by Senator Burchett.

Criminal Offenses -- Defines "loitering on the property of another" as disorderly conduct, which is Class C misdemeanor. Amends TCA Title 39.

Senate Bill No. 713 by Senator Burchett.

Autopsies -- Increases from \$25.00 to \$30.00 maximum amount that can be charged by physician for performing autopsy and giving opinion as to cause of death in criminal proceeding. Amends TCA Title 38.

Senate Bill No. 714 by Senator Burchett.

Special License Plates -- Authorizes issuance of Alpha Delta Pi Sorority new specialty earmarked license plates; allocates 50 percent of funds derived from sale thereof to Alpha Delta Pi to benefit Ronald McDonald House Charities. Amends TCA Title 55, Chapter 4.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 715 by Senator Burchett.

Lottery -- Authorizes Junior League of Knoxville to conduct charity raffle pursuant to Article XI, Section 5 of Constitution of Tennessee.

Senate Bill No. 716 by Senator Burchett.

Lottery -- Authorizes Knoxville Zoo to conduct charity raffle pursuant to Article XI, Section 5 of Constitution of Tennessee.

Senate Bill No. 717 by Senator Burchett.

Medical Occupations -- Prohibits public universities from involvement in distribution or sale of hearing aids. Amends TCA Title 63, Chapter 17.

Senate Bill No. 718 by Senator Burchett.

Boats, Boating -- Requires persons age 12-17 to have safe boating certificate before operating unaccompanied boat or personal watercraft. Amends TCA Title 69, Chapter 10.

Senate Bill No. 719 by Senator Burchett.

Highways, Roads and Bridges -- Increases time for filing inventory of county highway machinery, equipment, tools, supplies, and materials from 60 to 75 days from date chief administrative officer takes office. Amends TCA Title 54.

Senate Bill No. 720 by Senators Burchett, Ramsey, Atchley, Jackson, McLeary, Ketron, Herron, Williams and Clabough.

County Officers -- Redesignates county executives as county mayors. Amends TCA Section 5-6-101.

Senate Bill No. 721 by Senator Burchett.

Sexual Offenses -- Prohibits registered sexual offender from knowingly establishing residence within 1,000' of property designated by local education agency as bus stop for K-12 children. Amends TCA Title 40, Chapter 39.

Senate Bill No. 722 by Senator Burchett.

Traffic Safety -- Clarifies that child passenger restraint systems apply only to passenger motor vehicles having gross weight of less than 8,500 lbs that are not used as public or livery conveyance for passengers and not required by federal law to be equipped with safety belts. Amends TCA Title 55, Chapter 9, Part 6.

Senate Bill No. 723 by Senator Burchett.

Drugs -- Includes public or private pre-school facility within scope of coverage of drug-free school zone act which enhances punishment for felony drug violations occurring on or within 1,000 feet of public or private school. Amends TCA Section 39-17-432.

Senate Bill No. 724 by Senator Burchett.

Medical Occupations -- Enacts "Patient Hearing Health Improvement Act of 2003". Amends TCA Title 63.

Senate Bill No. 725 by Senator Burchett.

Audiologists and Speech Pathologists -- Excludes speech pathologists from payment of occupation privilege tax. Amends TCA Section 67-4-1702.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 726 by Senator Burchett.

Firefighters -- Creates dedicated fund to pay firefighter pay supplements financed by insurance premium surcharge; creates commission on firefighting personnel and standards; increases pay supplements. Amends TCA Title 4, Chapter 24 and Title 56.

Senate Bill No. 727 by Senator Burchett.

Redistricting, Legislative -- Moves portion of VTD Six THD 63 from district 15 to district 13 in Knox County. Amends TCA Section 3-1-103.

Senate Bill No. 728 by Senator Burchett.

Naming and Designating -- "William J. Tangye Codes Prop House", Tennessee Fire Service and Code Enforcement Academy.

Senate Bill No. 729 by Senator Burchett.

Traffic Safety -- Requires truck tractors and semitrailers to operate in right-most lane on interstate or multi-lane divided highway; violation is Class C misdemeanor, punishable only by \$50.00 fine. Amends TCA Title 55, Chapter 8, Part 1.

Senate Bill No. 730 by Senator Burchett.

Local Government, General -- Prohibits judges or peace officers from being punished or rewarded according to number of traffic citations issued or collected on. Amends TCA Title 39, Chapter 16 and Title 55, Chapter 8.

Senate Bill No. 731 by Senator Burchett.

Mental Retardation -- Authorizes sale of unused property of state developmental centers with deposit of proceeds in special trust fund earmarked for purposes of planning and developing mental retardation services. Amends TCA Title 12, Chapter 2.

Senate Bill No. 732 by Senator Burchett.

Health Care -- Enacts "Patient Hearing Health Improvement Act of 2003". Amends TCA Title 63.

Senate Bill No. 733 by Senator Norris.

Municipal Government -- Authorizes two or more municipal governments to create jointly corridor of central business improvement districts. Amends TCA Title 7, Chapter 84.

Senate Bill No. 734 by Senator Norris.

Municipal Government -- Permits mayor-aldermanic municipalities to provide by ordinance numeric designations for aldermanic positions. Amends TCA Section 6-3-101 and Section 6-3-102.

Senate Bill No. 735 by Senator Herron.

Judges and Chancellors -- Makes technical corrections to reflect change from "Code of Professional Responsibility" to "Tennessee Rules of Professional Conduct" governing professional conduct of lawyers and judges. Amends TCA Title 17, Chapter 5; Title 23, Chapter 3; Title 40, Chapter 30 and Title 50, Chapter 6.

Senate Bill No. 736 by Senator Norris.

Education -- Allows county school systems to convert to special school districts. Amends TCA Title 49, Chapter 2, Part 5.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 737 by Senator Norris.

Taxes, Privilege -- Adds full-time federal, municipal and county employees to persons exempt from paying occupation privilege tax. Amends TCA Section 67-4-1708(c).

Senate Bill No. 738 by Senator Kyle.

Correctional Programs -- Requires contractor to meet certain standards in contracts for certain correctional services that are submitted to legislative committees for review. Amends TCA Title 41, Chapter 24.

Senate Bill No. 739 by Senator Clabough.

Tobacco Master Settlement Agreement -- Enacts model language to aid enforcement of Tennessee Tobacco Manufacturer's Escrow Fund Act. Amends TCA Title 47, Chapter 31.

Senate Bill No. 740 by Senators Fowler and Person.

Sexual Offenses -- Prohibits registered sex offender from living within 1000' of school, day care, child care facility, or victims' residence; working within 1000' of school, day care, child care facility; and living in same place minor resides unless parent of minor. Amends TCA Title 40, Chapter 39.

Senate Bill No. 741 by Senator Cohen.

Driver Licenses -- Authorizes commissioner of safety to suspend, revoke, restrict or deny driver license of person with condition that potentially impairs safe driving; creates Class A misdemeanor for certain violations, including false reporting. Amends TCA Title 10, Chapter 7, Part 5 and Title 55, Chapter 50, Part 5.

Senate Bill No. 742 by Senator Cohen.

Energy -- Allows municipalities to issue revenue bonds to purchase electrical power from Tennessee Valley Authority. Amends TCA Title 7, Chapter 34.

Senate Bill No. 743 by Senator Crutchfield.

Mortgages -- Prohibits residential real estate closings at residences except under certain conditions and prohibits licensed mortgage loan brokers from recommending to borrower that loan be defaulted to refinance, if refinancing is of no benefit to borrowers. Amends TCA Title 45 and Title 47.

Senate Bill No. 744 by Senator Crutchfield.

Workers' Compensation -- Requires department of labor and workforce development to develop medical fee schedule for use in workers' compensation cases. Amends TCA Title 50, Chapter 6, Part 2; Title 63 and Title 68.

Senate Bill No. 745 by Senator Crutchfield.

Municipal Government -- Allows Chattanooga police department to use national crime information center (NCIC) database to run criminal background checks on persons applying for permit to drive taxi rather than relying only upon local criminal background checks on such persons. Amends TCA Section 6-54-128.

Senate Bill No. 746 by Senator Crutchfield.

Public Contracts -- Extends period in which head of department or agency must resolve protest filed by aggrieved party relative to request for consideration in public solicitation for contracts process from not longer than 60 days to not longer than 90 days. Amends TCA Title 12.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 747 by Senator Crutchfield.

Purchasing -- Extends period for filing certain protests pertaining to certain contracts for state service. Amends TCA Title 12.

Senate Bill No. 748 by Senator Crutchfield.

District Attorneys -- Permits criminal investigators to receive prior service credit for compensation purposes if they have prior experience with district attorney even though not in capacity of criminal investigator. Amends TCA Section 8-7-231 and Section 8-7-233.

Senate Bill No. 749 by Senator Crutchfield.

Municipal Government -- Permits municipal utility systems to accept voluntary contributions through programs such as round-up programs and to make contributions for bona fide charitable purposes. Amends TCA Title 7.

Senate Bill No. 750 by Senator Crutchfield.

Criminal Offenses -- Requires Department of Safety to annually report to House and Senate judiciary committees on or before March 1 concerning convictions and expungements relating to adult driving while impaired statute. Amends TCA Section 55-10-418.

Senate Bill No. 751 by Senator Crutchfield.

Alcoholic Beverages -- Authorizes Black Creek Club in Chattanooga to sell alcoholic beverages for consumption on premises. Amends TCA Title 57, Chapter 4.

Senate Bill No. 752 by Senator Crutchfield.

Teachers, Principals and School Personnel -- Allows retired teachers to be rehired immediately as kindergarten through twelfth grade teacher without loss or suspension of retirement benefits. Amends TCA Section 8-36-821.

Senate Bill No. 753 by Senator Norris.

Health Care -- Prohibits health maintenance organizations and medical service provider plans from disallowing prior authorized procedures. Amends TCA Title 56 and Title 71.

Senate Bill No. 754 by Senator Norris.

Managed Care Organizations -- Prohibits MCOs and medical service provider representatives from recharacterizing procedures deemed non-experimental for federal health care programs as experimental procedures to avoid payment to medical services providers. Amends TCA Title 56.

Senate Bill No. 755 by Senator McNally.

Education -- Provides for extended-year reading instruction program. Amends TCA Title 49, Chapter 2.

Senate Bill No. 756 by Senator Dixon.

Law Enforcement -- Requires certain law enforcement agencies to record and report ethnic, gender, racial, and other information resulting from stops and detentions to comptroller. Amends TCA Title 4, Chapter 7, Part 1; Title 6, Chapter 54; Title 8, Chapter 8, Part 2; Title 38 and Title 39.

Senate Bill No. 757 by Senator Dixon.

Economic and Community Development -- Authorizes cities and counties to establish neighborhood revitalization zones. Amends TCA Title 7; Title 13 and Title 71.

Senate Bill No. 758 by Senator Dixon.

Taxes, Sales -- Incrementally reduces state sales tax on food or food ingredients over next five years; beginning with 2008-2009 fiscal year and thereafter such articles are exempt from state sales tax. Amends TCA Title 3; Title 4; Title 7; Title 8; Title 9; Title 11; Title 16; Title 18; Title 20; Title 29; Title 30; Title 31; Title 32; Title 35; Title 36; Title 38; Title 39; Title 40; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 54; Title 55; Title 56; Title 57; Title 60; Title 61; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 70 and Title 71.

Senate Bill No. 759 by Senators Dixon and Burks.

Education -- Directs state board of education and Tennessee Department of Education to review use of national teacher examination for teacher licensing; report to be given to education committees.

Senate Bill No. 760 by Senator Dixon.

Consumer Protection -- Makes misrepresentation of business name or location in telephone directory or directory assistance database violation of Tennessee Consumer Protection Act. Amends TCA Title 48, Chapter 18.

Senate Bill No. 761 by Senator Dixon.

Taxes, Real Property -- Provides that when assessing value of property developed under Low Income Housing Tax Credit program, no value is to be assigned to low income housing tax credits awarded to property as long as property is set aside for low income use. Amends TCA Title 13 and Title 67.

Senate Bill No. 762 by Senator Dixon.

Annexation -- Requires plan of services to address impact of proposed annexation upon delivery of educational services. Amends TCA Section 6-51-102.

Senate Bill No. 763 by Senator Dixon.

Taxes, Privilege -- Exempts full-time county employees from occupational privilege tax. Amends TCA Title 67, Chapter 4, Part 17.

Senate Bill No. 764 by Senator Dixon.

Hospitals and Health Care Facilities -- Permits dentist licensed in Tennessee and certified by American Board of Oral and Maxillofacial Pathology to be lab director without obtaining additional medical laboratory licensure. Amends TCA Title 63, Chapter 5 and Title 68, Chapter 29.

Senate Bill No. 765 by Senator Dixon.

State Employees -- Requires interim appointments or those employed through personal services contracts or positions held by part-time employees to first be eliminated or laid off if reduction-in-force is necessary for any reason. Amends TCA Title 8, Chapter 30, Part 3.

Senate Bill No. 766 by Senator Dixon.

Lottery -- Authorizes Diocese of Memphis to conduct charity raffle pursuant to Article XI, Section 5 of Constitution of Tennessee.

Senate Bill No. 767 by Senator Dixon.

Taxes, Sales -- Creates sales tax holidays for clothing and school supplies on last weekend in July and first weekend in August each year; removes sales tax exemption for newspapers and advertising supplements. Amends TCA Title 67.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 768 by Senator Dixon.

Utilities, Utility Districts -- Establishes certain procedures and requirements for apartment houses and manufactured-housing communities that submeters each rental unit in order to measure water volume consumed by occupants of each rental unit. Amends TCA Title 7, Chapter 35.

Senate Bill No. 769 by Senators Graves, McLeary, Trail, Jackson, Walker, Cooper, Ford,

Harper, Henry, Burks, Crutchfield, Cohen, Dixon, Herron, Kyle and Mr. Speaker Wilder.

Insurance Companies, Agents, Brokers, Policies -- Revises requirements relative to reinsurance contracts. Amends TCA Title 56.

Senate Bill No. 770 by Senator Bryson.

Taxes, Excise -- Requires Commissioner of Health, Commissioner of Mental Health and Developmentally Disabled, Commissioner of Revenue, and comptroller to propose franchise and excise tax credit incentive programs for employment of developmentally disabled adults. Amends TCA Title 67.

Senate Bill No. 771 by Senator Graves.

Salaries and Benefits -- Requires prevailing wage commission to determine prevailing wage annually for building construction instead of biennially; requires calculation for building construction to include fringe benefits. Amends TCA Title 12, Chapter 4, Part 4.

Senate Bill No. 772 by Senator Graves.

Insurance, Health, Accident -- Gives pharmacy 45 days instead of 30 to correct adjudicated claims before health insurer may rescind, modify or recoup funds paid on requested claims. Amends TCA Title 56 and Title 63.

Senate Bill No. 773 by Senator Graves.

Insurance, Health, Accident -- Creates task force to review state and federal health insurance mandates in Tennessee. Amends TCA Title 3 and Title 56.

Senate Bill No. 774 by Senator Graves.

Insurance, Health, Accident -- Authorizes health maintenance organizations to file remittance advices for obtaining payment under prompt payment requirements either electronically or written; revises procedures for submitting claims to independent reviewer; describes manner unpaid claim may create common substantive question of fact or law. Amends TCA Section 56-32-226.

Senate Bill No. 775 by Senator Graves.

Education -- Authorizes Commissioner of Education to establish "Matrix Class Size Pilot Project" effective with 2003-04 academic year; establishes guiding principles used in developing pilot project. Amends TCA Section 49-1-104.

Senate Bill No. 776 by Senator Graves.

TennCare -- Requires Commissioner of Health to notify all participating managed care organizations no less than 10 business days prior to meetings relative to development of TennCare claims process. Amends TCA Title 71.

Senate Bill No. 777 by Senator Miller.

Litter Control -- Requires deposit on certain beverage containers. Amends TCA Title 68.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 778 by Senator Miller.

Taxes, Privilege -- Expands groups of officials to whom Department of Transportation must transmit report listing programs receiving funds generated by bottle and soft drink tax. Amends TCA Chapter 2 of the Public Acts of 1995; Title 57, Chapter 5 and Title 67, Chapter 4.

Senate Bill No. 779 by Senator Miller.

Tennessee Higher Education Commission -- Establishes uniform course numbering system for all state public higher education institutions. Amends TCA Title 49, Chapter 7 and Title 49, Chapter 8.

Senate Bill No. 780 by Senator Burchett.

Lottery -- Authorizes Boys and Girls Club of Knoxville to conduct charity Duck Race pursuant to Article XI, Section 5 of Constitution of Tennessee.

Senate Bill No. 781 by Senator Miller.

Criminal Procedure -- Clarifies that arrest history of defendant or potential witness in criminal case can be released to employee of attorney of record as well as attorney. Amends TCA Title 40, Chapter 32.

Senate Bill No. 782 by Senator Kyle.

Environmental Preservation -- Enacts "Tennessee Environmental Policy Act of 2003". Amends TCA Title 68.

Senate Bill No. 783 by Senator Cohen.

Bail, Bail Bonds -- Authorizes judge to order defendant convicted of certain serious felonies to remain on bail pending appeal process upon making certain findings that defendant is not dangerous and will not flee rather than automatically revoking bail and remanding defendant to custody upon conviction. Amends TCA Title 40, Chapter 26 and Title 40, Chapter 35.

Senate Bill No. 784 by Senator Person.

Criminal Offenses -- Broadens definition of custodial interference to include removal of child born out of wedlock from mother who has rightful custody absent order of custody. Amends TCA Section 39-13-306.

Senate Bill No. 785 by Senator Person.

Courts, Municipal -- Imposes moratorium on creation of new municipal courts either by General Assembly or home rule municipalities until such time as committee appointed by judicial council studies matter, makes recommendations to General Assembly and General Assembly has had one session to consider recommendations. Amends TCA Title 6 and Title 16, Chapter 17, Part 1.

Senate Bill No. 786 by Senator Person.

Education -- Includes surviving dependents of certain deceased state and local public employees within scholarship program established by Dependent Children Scholarship Act. Amends TCA Title 49.

Senate Bill No. 787 by Senator Person.

Child Custody and Support -- Prohibits non-supporting parent under court order requiring payment of support who intentionally refuses or neglects to pay child support for two-year period from recovering monetary damages under Tennessee Wrongful Death Act for wrongful death of such parent's child. Amends TCA Section 20-5-107.

Senate Bill No. 788 by Senator Person.

Limitation of Actions -- Adds nonsuit, in addition to reversal and arrest of judgment, as situations when plaintiff may commence new action if other applicable conditions met. Amends TCA Section 28-1-105.

Senate Bill No. 789 by Senator Person.

Tort Liability -- Extends period governmental entities are required to file report on tort liability activities with state treasurer from three to five years. Amends TCA Title 29.

Senate Bill No. 790 by Senator Person.

Minors, 12-18 -- Extends present authorization for minors to consent to surgical or medical treatment of such minor's child to include authority to consent to laboratory testing. Amends TCA Title 63.

Senate Bill No. 791 by Senator Person.

Clerks, Court -- Transfers, by July 1, 2006, juvenile court clerk functions from county clerk to general sessions court clerk in counties where general sessions court is also juvenile court. Amends TCA Section 37-1-210 and Section 37-1-211.

Senate Bill No. 792 by Senator Person.

Clerks, Court -- Transfers, effective by July 1, 2006, clerk functions of county clerk relative to probate matters to clerk of court that has probate jurisdiction or clerk and master. Amends TCA Title 16, Chapter 16 and Title 18, Chapter 6.

Senate Bill No. 793 by Senator Person.

Clerks, Court -- Increases fee for filing instruments from \$2.00 to \$4.00; increases fee for entering each judgement from \$3.00 to \$5.00. Amends TCA Section 8-21-401.

Senate Bill No. 794 by Senator Person.

Clerks, Court -- Clarifies that successful party to action recover funds made in payment of fees, other costs and litigation taxes from opposing party as part of money judgement rather than from court clerks. Amends TCA Section 18-2-102.

Senate Bill No. 795 by Senator Person.

Medical Occupations -- Removes current exemption from licensure for interns, residents, and fellows participating in post-graduate otolaryngology training program in western grand division. Amends TCA Title 63.

Senate Bill No. 796 by Senator Person.

Firearms and Ammunition -- Limits hours of operation of sport shooting ranges to 9 a.m. to 8 p.m., Monday through Friday; 10 a.m. to 6 p.m., Saturday; and 1 p.m. to 5 p.m., Sunday. Amends TCA Section 39-17-316.

Senate Bill No. 797 by Senator Person.

Taxes, Real Property -- Increases income level for property tax relief for elderly and disabled homeowners from \$10,550 to \$20,000 of income for all sources.

Senate Bill No. 798 by Senator Person.

Shelby County -- Increases authority of environmental court to punish for contempt of such court from five days to ten days for each violation. Amends TCA Chapter 426 of the Private Acts of 1991.

Senate Bill No. 799 by Senator Person.

Hospitals and Health Care Facilities -- Requires Department of Mental Health and Developmental Disabilities to have applications under Community Mental Health Center Cooperation Act of 1998 available on or before January 1, 2004. Amends TCA Title 33.

Senate Bill No. 800 by Senators Person and Norris.

Criminal Offenses -- Reclassifies violent offense when committed while acting in concert with two or more people. Amends TCA Title 39, Chapter 12 and Title 39, Chapter 13.

Senate Bill No. 801 by Senator Person.

Adoption -- Redefines willful failure to support to include willful intent to not provide monetary support towards child for whom child support is to be paid. Amends TCA Title 36.

Senate Bill No. 802 by Senator Person.

Motor Vehicles -- Creates Class A misdemeanor offense for knowingly installing or reinstalling any object in lieu of air bag designed in accordance with federal regulations for specific make, model and year of vehicle to be used as part of inflatable restraint system.

Senate Bill No. 803 by Senator Person.

Traffic Safety -- Requires certain trailers to bear rear tail lamps. Amends TCA Title 55, Chapter 9, Part 4.

Senate Bill No. 804 by Senator Person.

Privacy, Confidentiality -- Prohibits placement of social security numbers on voter registration cards or hunting/fishing licenses or permits, or use of such numbers as identifying numbers on such cards, licenses, or permits. Amends TCA Title 2, Chapter 2, Part 1 and Title 70, Chapter 2, Part 1.

Senate Bill No. 805 by Senator Person.

Physicians and Surgeons -- Increases membership on board of medical examiners to 14 members, 11 of whom must be physicians; adds one board member who is radiologist and one board member who is anesthesiologist. Amends TCA Title 63, Chapter 6, Part 1.

Senate Bill No. 806 by Senator Atchley.

Real Property -- Requires non-resident creditors involved in foreclosure of Tennessee real estate to conduct discovery in county in which foreclosure litigation is pending. Amends TCA Title 35, Chapter 5, Part 1.

Senate Bill No. 807 by Senator Atchley.

Local Government, General -- Prohibits municipalities, counties or transit authorities from bargaining collectively with human resource agencies and development district agencies. Amends TCA Section 7-56-102.

Senate Bill No. 808 by Senator Atchley.

Contractors -- Extends from 90 to 120 number of days in advance that renewal notices for licenses must be mailed and reduces from 30 to 20 number of days in advance of expiration that renewal must be received by board. Amends TCA Title 62, Chapter 6.

Senate Bill No. 809 by Senator Atchley.

Public Contracts -- Increases from one to two years, period of time state agencies must maintain payroll records submitted by persons or entities entering into state contracts. Amends TCA Title 12, Chapter 4, Part 4.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 810 by Senators Cooper and Crutchfield.

Biocides and Herbicides -- Enacts "Tennessee Commercial Aerial and Ground Spraying Protection Act of 2003". Amends TCA Title 43 and Title 62.

Senate Bill No. 811 by Senator Cooper.

Agriculture -- Transfers certain boll weevil eradication responsibilities to Department of Agriculture; replaces certified cotton growers' organization fund with boll weevil eradication fund; requires certain advance approval for certain disbursements from such fund. Amends TCA Title 43, Chapter 6, Part 4 and Title 67, Chapter 1, Part 14.

Senate Bill No. 812 by Senator Kyle.

Public Funds and Financing -- Deletes specific requirement that qualified public depositories include detailed schedule of all securities pledged as collateral and statement of selected financial information in written reports to treasurer. Amends TCA Section 9-4-518.

Senate Bill No. 813 by Senator McLeary.

Pensions and Retirement Benefits -- Authorizes reemployment of retired county employees without loss or suspension of retirement benefits upon acceptance of liability for such by county legislative body; such retiree may not accrue additional retirement benefits as result of such employment. Amends TCA Title 8, Chapter 36, Part 8.

Senate Bill No. 814 by Senator Ford.

Hospitals and Health Care Facilities -- Provides that relocation of hospice or home health agency in same county shall not be considered change of location of health care institution. Amends TCA Title 68, Chapter 11, Part 16.

Senate Bill No. 815 by Senator Ford.

General Assembly -- Readjusts salary of General Assembly members starting with One Hundred Fifth General Assembly from \$16,500 to average state employee salary; allows members of General Assembly to switch retirement systems as of July 1, 2007, to state employee retirement system based on percentage of salary. Amends TCA Title 3, Chapter 1, Part 1 and Title 8, Chapter 36.

Senate Bill No. 816 by Senator Ford.

General Assembly -- Increases monthly expense allowance for members of General Assembly by \$100; allows additional \$100 per month for legislative related expenses such as communication devices and office equipment. Amends TCA Section 3-1-106.

Senate Bill No. 817 by Senator Ford.

Aged Persons -- Prohibits commission on aging and disability from engaging in direct service provision. Amends TCA Title 71, Chapter 2.

Senate Bill No. 818 by Senator Ford.

Aged Persons -- Transfers administration of Title V of Older Americans Act activities from commission on aging and disability to Department of Labor and Workforce Development. Amends TCA Title 4 and Title 71.

Senate Bill No. 819 by Senator Ford.

Medical Occupations -- Enacts "Surgical Technologist Licensure Act". Amends TCA Title 63.

Senate Bill No. 820 by Senator Ford.

Hospitals and Health Care Facilities -- Removes requirement for health care facility to report as unusual events fires that are reported by facility to any entity, including fire departments. Amends TCA Title 68, Chapter 11.

Senate Bill No. 821 by Senator Ford.

TennCare -- Requires state to fully pay health care providers owed reimbursement by insolvent TennCare MCO to extent reimbursement is not available from MCO. Amends TCA Title 71, Chapter 5, Part 1.

Senate Bill No. 822 by Senator Ford.

Alcoholic Offenses -- Requires law enforcement officer to conduct test to determine blood alcohol of driver involved in accident resulting in injury or death if officer has probable cause to believe driver committed DUI, vehicular assault, vehicular homicide, or aggravated vehicular homicide. Amends TCA Title 55, Chapter 10, Part 4.

Senate Bill No. 823 by Senator Ford.

Health Care -- Authorizes commissioner to appoint advisory consumer board to review complaints related to operations of health-related boards; membership and terms defined; expenses reimbursed.

Senate Bill No. 824 by Senator Ford.

Hospitals and Health Care Facilities -- Adds representative of Tennessee association for home care to board of health services and development agency; increases agency's board from nine to 10 on July 1, 2003. Amends TCA Title 68, Chapter 11, Part 16.

Senate Bill No. 825 by Senator Ford.

Advertising -- Requires Department of General Services to develop and administer program permitting commercial advertisements on state-owned motor vehicles, with revenue derived from such program deposited in general fund. Amends TCA Title 4, Chapter 3, Part 11.

Senate Bill No. 826 by Senator Ford.

Social Workers -- Authorizes certain local education agencies to apply for certain hardship grants in order to increase the ratio of school social workers to students. Amends TCA Section 49-3-359.

Senate Bill No. 827 by Senator Ford.

Drug and Alcohol Rehabilitation -- Requires at least one half of funds from alcohol and drug addiction treatment fund related to distribution of vehicle forfeiture proceeds to be used for treatment of indigent persons participating in drug court treatment programs. Amends TCA Section 40-33-211.

Senate Bill No. 828 by Senator Graves.

Insurance Companies, Agents, Brokers, Policies -- Makes excess insurance covering self-insured workers' compensation pools comprised of political subdivisions and authorities, subject to prompt payment mechanisms and assessment of costs provisions of Tennessee Insurance Guaranty Association Act. Amends TCA Title 56.

Senate Bill No. 829 by Senator Graves.

Insurance Companies, Agents, Brokers, Policies -- Makes excess insurance covering self-insured workers' compensation pools under policies of insurance entered into prior to March 31, 1999, subject to prompt payment mechanisms and assessment of costs provisions of Tennessee Insurance Guaranty Association Act. Amends TCA Title 56.

Senate Bill No. 830 by Senator Graves.

State Employees -- Makes commissioned members of TDEC subject to mandatory retirement age requirements and reconfigures certain benefits for such members. Amends TCA Section 8-35-105 and Section 8-36-205.

Senate Bill No. 831 by Senator Graves.

Motor Vehicles, Titling and Registration -- Provides that permanent handicapped placards shall be colored blue; temporary handicapped placards shall be colored red; allows temporary placards to be renewed unlimited number of times. Amends TCA Section 55-21-103.

Senate Bill No. 832 by Senator Graves.

Animal Control -- Increases time period in which new owner of adopted dog or cat must request return of deposit from animal control agency from 10 to 15 days after date by which spaying or neutering was required to be performed on such animal. Amends TCA Title 39, Chapter 14, Part 2, and Title 44.

Senate Bill No. 833 by Senator Graves.

Education -- Provides for "Matrix Class Size Pilot Project" to be conducted by commissioner of education to establish maximum class sizes. Amends TCA Section 49-1-104.

Senate Bill No. 834 by Senator Graves.

Pensions and Retirement Benefits -- Allows retirees to work four months or 120 days, whichever is greater, without loss of retirement benefits, rather than current 100 days. Amends TCA Section 8-36-805 through Section 8-36-821.

Senate Bill No. 835 by Senator Graves.

Motor Vehicles, Titling and Registration -- Provides for issuance of handicap plates, placards, or certificates to disabled veterans without charge. Amends TCA Title 55, Chapter 21, Part 1.

Senate Bill No. 836 by Senator Graves.

Managed Care Organizations -- Requires HMOs providing utilization review services for mental health and chemical dependency care for their own enrollees to comply with provisions of Title 56, Chapter 7 regarding utilization review services for such care. Amends TCA Title 56.

Senate Bill No. 837 by Senator Graves.

Medical Occupations -- Includes psychological testing interpretations in definition of medical records. Amends TCA Title 63, Chapter 2.

Senate Bill No. 838 by Senator Graves.

Medical Occupations -- Revises health related clinical activities or services which may be practiced by psychological examiner or senior psychological examiner to be psychotherapy behavior analysis techniques instead of psychotherapy techniques. Amends TCA Title 63, Chapter 11.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committee:

Senate Bill No. 264 referred to Committee on Commerce, Labor and Agriculture.

Senate Bill No. 265 referred to Committee on Finance, Ways and Means.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Bill No. 266 referred to Committee on Environment, Conservation and Tourism.

Senate Bill No. 267 referred to Committee on Finance, Ways and Means.

Senate Bill No. 268 referred to Committee on Judiciary.

Senate Bill No. 269 referred to Committee on General Welfare, Health and Human Resources.

Senate Bill No. 270 referred to Committee on Judiciary.

Senate Bill No. 271 referred to Committee on Judiciary.

Senate Bill No. 272 referred to Committee on Education.

Senate Bill No. 273 referred to Committee on Judiciary.

Senate Bill No. 274 referred to Committee on General Welfare, Health and Human Resources.

Senate Bill No. 275 referred to Committee on State and Local Government.

Senate Bill No. 276 referred to Committee on General Welfare, Health and Human Resources.

Senate Bill No. 277 held on desk.

Senate Bill No. 278 -- Caption Bill -- held on desk pending filing of amendment.

Senate Bill No. 279 -- Caption Bill -- held on desk pending filing of amendment.

Senate Bill No. 280 referred to Committee on Commerce, Labor and Agriculture.

Senate Bill No. 281 referred to Committee on General Welfare, Health and Human Resources.

Senate Bill No. 282 referred to Committee on Judiciary.

Senate Bill No. 283 referred to Committee on Judiciary.

Senate Bill No. 284 referred to Committee on Judiciary.

Senate Bill No. 285 -- Caption Bill -- held on desk pending filing of amendment.

Senate Bill No. 286 referred to Committee on Government Operations.

Senate Bill No. 287 referred to Committee on Judiciary.

Senate Bill No. 288 referred to Committee on Education.

Senate Bill No. 289 referred to Committee on Judiciary.

Senate Bill No. 290 referred to Committee on Commerce, Labor and Agriculture.

Senate Bill No. 291 referred to Committee on Transportation.

Senate Bill No. 292 referred to Committee on State and Local Government.

Senate Bill No. 293 held on desk.

Senate Bill No. 294 referred to Committee on Judiciary.

Senate Bill No. 295 referred to Committee on Judiciary.

Senate Bill No. 296 held on desk.

Senate Bill No. 297 held on desk.

Senate Bill No. 298 referred to Committee on State and Local Government.

Senate Bill No. 299 referred to Committee on Delayed Bills.

Senate Bill No. 301 referred to Committee on Judiciary.

Senate Bill No. 302 -- Caption Bill -- held on desk pending filing of amendment.

Senate Bill No. 303 referred to Committee on Finance, Ways and Means.

Senate Bill No. 304 held on desk.

Senate Bill No. 305 referred to Committee on Transportation.

Senate Bill No. 306 held on desk.

Senate Bill No. 307 referred to Committee on State and Local Government.

Senate Bill No. 308 referred to Committee on Transportation.

Senate Bill No. 309 referred to Committee on Education.

Senate Bill No. 310 referred to Committee on Judiciary.

Senate Bill No. 311 referred to Committee on Judiciary.

Senate Bill No. 312 referred to Committee on State and Local Government.

Senate Bill No. 313 referred to Committee on State and Local Government.

Senate Bill No. 314 referred to Committee on State and Local Government.

Senate Bill No. 315 referred to Committee on Education.

Senate Bill No. 316 referred to Committee on Judiciary.

Senate Bill No. 317 referred to Committee on State and Local Government.

Senate Bill No. 318 referred to Committee on Judiciary.

Senate Bill No. 319 referred to Committee on Government Operations.

Senate Bill No. 320 referred to Committee on Finance, Ways and Means.

Senate Bill No. 321 referred to Committee on Finance, Ways and Means.

Senate Bill No. 322 referred to Committee on Finance, Ways and Means.

Senate Bill No. 323 referred to Committee on State and Local Government.

Senate Bill No. 324 referred to Committee on Judiciary.

Senate Bill No. 325 held on desk.

Senate Bill No. 326 referred to Committee on Education.

Senate Bill No. 327 referred to Committee on Judiciary.

Senate Bill No. 328 referred to Committee on State and Local Government.

Senate Bill No. 329 referred to Committee on Judiciary.

Senate Bill No. 330 referred to Committee on Judiciary.

Senate Bill No. 331 referred to Committee on State and Local Government.

Senate Bill No. 332 -- Caption Bill -- held on desk pending filing of amendment.

Senate Bill No. 333 referred to Committee on Judiciary.

Senate Bill No. 334 referred to Committee on Commerce, Labor and Agriculture.

Senate Bill No. 335 referred to Committee on Environment, Conservation and Tourism.

Senate Bill No. 336 referred to Committee on Finance, Ways and Means.

Senate Bill No. 337 referred to Committee on State and Local Government.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Resolution No. 3 by Senator Burchett.

Memorials, Personal Occasion -- Mary Anne Dendrinis, baptism.

Senate Joint Resolution No. 62 by Senator Herron.

Memorials, Retirement -- Karen Williams.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Joint Resolution No. 63 by Senator Herron.

Memorials, Death -- Mayor Tommie Goodwin.

Senate Joint Resolution No. 64 by Senator Herron.

Memorials, Congress -- Urges Congress to require, when applicable, that government uniforms and equipment be manufactured in United States.

Senate Joint Resolution No. 65 by Senator Herron.

Memorials, Death -- Lester Hailey.

Senate Joint Resolution No. 66 by Senator Graves.

Memorials, Professional Achievement -- Roy Drusky.

Senate Joint Resolution No. 67 by Senator Crowe.

General Assembly, Studies -- Reauthorizes select joint committee on veterans affairs.

Senate Joint Resolution No. 68 by Senator McLeary.

Memorials, Academic Achievement -- Jaime Johnson, Phi Theta Kappa.

Senate Joint Resolution No. 69 by Senator McLeary.

Memorials, Academic Achievement -- Mitzi Kanizar, Phi Theta Kappa.

Senate Joint Resolution No. 70 by Senator McLeary.

Memorials, Death -- George and Ruth Hymers.

Senate Joint Resolution No. 71 by Senator Norris.

Constitutional Amendments -- Amends Article II, Section 28, of Tennessee Constitution to provide property tax relief for senior citizens.

Senate Joint Resolution No. 72 by Senator Herron.

Memorials, Personal Achievement -- Kelley Powers.

Senate Joint Resolution No. 73 by Senator Cooper.

Memorials, Public Service -- Tennessee Jaycees Model Legislature.

Senate Joint Resolution No. 74 by Senator McNally.

Memorials, Professional Achievement -- Lawrence Hahn.

Senate Joint Resolution No. 75 by Senator McNally.

Memorials, Congratulations -- Y-12 National Security Complex.

Senate Joint Resolution No. 76 by Senator Burks.

General Assembly, Adjournment -- Adjourns first session of 103rd General Assembly on April 11, 2003, to convene again on January 13, 2004.

Senate Joint Resolution No. 77 by Senator Miller.

Memorials, Death -- William T. Goins.

Senate Joint Resolution No. 78 by Senator Miller.

Memorials, Death -- Raymond Miller.

WEDNESDAY, FEBRUARY 12, 2003 -- 6TH LEGISLATIVE DAY

Senate Joint Resolution No. 79 by Senator Miller.

Memorials, Congratulations -- Bowater, Inc., Sustainable Forestry Initiative certification.

Senate Joint Resolution No. 80 by Senator Kyle.

Memorials, Retirement -- Jim Dodge.

Senate Joint Resolution No. 81 by Senator Henry.

General Assembly, Directed Studies -- Requires inter-departmental study of autism and creates special joint committee to recommend any necessary legislation.

Senate Joint Resolution No. 82 by Senator Henry.

General Assembly, Directed Studies -- Requests state insurance committee to propose comprehensive vision program as voluntary group program for state employees and retirees.

Senate Joint Resolution No. 83 by Senator Haynes.

Memorials, Recognition -- Senator Rosalind Kurita.

Senate Joint Resolution No. 84 by Senator Person.

General Assembly, Studies -- Creates special joint study committee to review Tennessee board of education rules and regulations regarding intellectually gifted students.

RESOLUTIONS LYING OVER

House Joint Resolution No. 35 -- Memorials, Public Service -- Linda B. Miller.

The Speaker announced that he had referred House Joint Resolution No. 35 to Committee on Calendar.

House Joint Resolution No. 36 -- Memorials, Public Service -- Betty B. Cannon.

The Speaker announced that he had referred House Joint Resolution No. 36 to Committee on Calendar.

House Joint Resolution No. 37 -- Memorials, Public Service -- Phyllis Stewart Williams.

The Speaker announced that he had referred House Joint Resolution No. 37 to Committee on Calendar.

House Joint Resolution No. 38 -- Memorials, Public Service -- Paula Ann Milton.

The Speaker announced that he had referred House Joint Resolution No. 38 to Committee on Calendar.

House Joint Resolution No. 39 -- Memorials, Public Service -- Gloria Keel Coles.

The Speaker announced that he had referred House Joint Resolution No. 39 to Committee on Calendar.

House Joint Resolution No. 40 -- Memorials, Personal Occasion -- Mr. & Mrs. Aaron Chesser, wedding.

The Speaker announced that he had referred House Joint Resolution No. 40 to Committee on Calendar.

House Joint Resolution No. 41 -- Memorials, Congratulations -- Erin and Margaret Wills.

The Speaker announced that he had referred House Joint Resolution No. 41 to Committee on Calendar.

Senate Joint Resolution No. 60 -- Memorials, Congress -- Urges U.S. Department of Energy to require engineers working at DOE facilities in Tennessee to comply with Tennessee's registration law; memorializes state's Congressional delegation to introduce legislation to accomplish same.

The Speaker announced that he had referred Senate Joint Resolution No. 60 to Committee on Finance, Ways and Means.

Senate Joint Resolution No. 61 -- Memorials, Professional Achievement -- Tennessee Gas Association, 40th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 61 to Committee on Calendar.

MOTION

On motion of Senator Henry, **Senate Bill No. 17** was recalled from the Committee on General Welfare, Health and Human Resources.

WITHDRAWAL OF BILL

On motion of Senator Henry, Senate Bill No. 17 was withdrawn from the Senate.

MOTION

Senator Kyle moved that the rules be suspended for the immediate consideration of **Senate Joint Resolution No. 80**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 80 -- Memorials, Retirement -- Jim Dodge.

On motion of Senator Kyle, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 80** was adopted by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson,

Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

MOTION

Senator Burchett moved that the rules be suspended for the immediate consideration of **Senate Resolution No. 3**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Resolution No. 3 -- Memorials, Personal Occasion -- Mary Anne Dendrinis, baptism.

On motion of Senator Burchett, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Resolution No. 3** was adopted by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

MOTION

On motion of Mr. Speaker Wilder, **Senate Bill No. 1** was recalled from the Committee on State and Local Government and referred to the Committee on Government Operations.

MOTION

Senator Harper moved that the rules be suspended for the immediate consideration of **House Joint Resolution No. 51**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 51 -- Memorials, Congratulations -- League of Women Voters, 83rd anniversary.

On motion of Senator Harper, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 51** was concurred in by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

RECESS

Senator Crutchfield moved the Senate stand in recess for five minutes, which motion prevailed.

CALL TO ORDER

The Senate was called to order by Mr. Speaker Wilder.

ROLL CALL

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

MOTION

Senator Cooper moved that the rules be suspended for the immediate consideration of **House Joint Resolution No. 62**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 62 -- Memorials, Retirement -- Milt Ashford.

On motion of Senator Cooper, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 62** was concurred in by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurita, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

MOTION

Senator Crutchfield moved that the rules be suspended for the immediate consideration of **House Joint Resolution No. 64**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 64 -- General Assembly, Joint Conventions -- Calls joint convention to elect state election commission, fill vacancy on state election commission, and discuss lottery, February 19, 2003, 3:00 p.m.

On motion of Senator Crutchfield, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 64** was concurred in by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

MOTION

Senator Crutchfield moved that the rules be suspended for the immediate consideration of **House Joint Resolution No. 63**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 63 -- General Assembly, Recess & Reconvene -- Recesses General Assembly for Presidents Day holiday from close of business on Thursday, February 13, 2003, until Wednesday, February 19, 2003.

On motion of Senator Crutchfield, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 63** was concurred in by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

MOTION

On motion of Senator Norris, his name was added as sponsor of **Senate Bill No. 58**.

On motion, all Senators' names were added as sponsors of **House Joint Resolution No. 51**.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, February 13, 2003: House Joint Resolutions Nos. 36, 37, 38, 39, 40 and 41; and Senate Joint Resolutions Nos. 62, 63, 65, 66, 68, 69 and 70.

This the 11th day of February, 2003.
CROWE, Chairperson.

ENGROSSED BILLS
February 11, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolution No. 80, and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE
February 12, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 51 and 62, adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE
February 12, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 63 and 64, adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE
February 12, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 44, 45, 46, 47, 49 and 50; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

February 12, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 24, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

February 12, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 47, 49, 51, 54, 55, 57 and 58; concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

February 12, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 80, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

ENROLLED BILLS

February 12, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bill No. 24; and Senate Resolution No. 3; and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ADJOURNMENT

Senator Crutchfield moved the Senate adjourn until 9:00 a.m., Thursday, February 13, 2003, which motion prevailed.